

SAN ANTONIO PLANNING COMMISSION AGENDA



February 27, 2008



2:00 P.M.

Murray H. Van Eman, *Chairman*

Cecilia Garcia, Vice Chair

Dr. Francine S. Romero, *Chair Pro-Tem*

Amelia Hartman

Jose R. Limon

John Friesenhahn

Ivy R. Taylor

Dr. Sherry Chao-Hrenek

Stephanie James

 THE CLIFF MORTON DEVELOPMENT AND BUSINESS SERVICES CENTER, LOCATED AT 1901 SOUTH ALAMO STREET IS WHEELCHAIR-ACCESSIBLE. ACCESSIBLE PARKING IS LOCATED AT THE FRONT OF THE BUILDING. AUXILIARY AIDS AND SERVICES ARE AVAILABLE UPON REQUEST. INTERPRETERS FOR THE DEAF MUST BE REQUESTED AT LEAST 48 HOURS PRIOR TO THE MEETING BY CALLING (210) 207-7245 VOICE/TDD.

Please note that Citizens Comments are limited to three (3) minutes per person
CALL (210) 207-0121 FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM BELOW.

1. PRELIMINARY ITEMS

- A. Work session, 1:30 P.M., Tobin Room
 - Agenda items may be discussed (Development Services)
 - 2. 2:00 P.M.– Call to Order, Board Room
 - 3. Roll Call
 - 4. Citizens to be heard

5. PUBLIC HEARINGS

REPLATS W/ WRITTEN NOTIFICATION:

Council Ferguson
District Index #

- A. 080056 S. General McMullen Center 6 615 C-6**
(Near the southwest corner of Wallace Road and General McMullen)

REPLATS:

- B. 080083 St. Benedict's Replat** 1 **616 E-7**
(At South Alamo Street and Sheridan Street)

CONSENT AGENDA

NOTICE TO THE PUBLIC: All matters listed under "Consent Agenda" are considered by the Planning Commission to be routine, or have met all standards for development under state law (plats only), and will be enacted by one motion. There will be no separate discussion of these items unless any member of the Planning Commission requests that specific items be removed from the Consent Agenda and added to the Individual Consideration Agenda for discussion prior to the time the Planning Commission votes on the motion to adopt the Consent Agenda.

PUBLIC HEARINGS FOR ITEMS 6-7 HELD ABOVE:

- | | | | | |
|----|--------|--|---|---------|
| 6. | 080056 | S. General McMullen
(Near the southwest corner of Wallace Road and General McMullen) | 6 | 615 C-6 |
| 7. | 080083 | St. Benedict's Replat
(At South Alamo Street and Sheridan Street) | 1 | 616 E-7 |

PLATS:

- | | | | | |
|-----|--------|--|-----|---------|
| 8. | 060326 | Garden Brook Estates
(Near the corner of Cable Ranch Road and Garden Brook) | 6 | 613 B-6 |
| 9. | 070142 | Sonoma Verde, Unit 6
(West side of Kyle Seale Parkway at Sonoma Ridge) | OCL | 513 C-3 |
| 10. | 070205 | Stone Ridge Market Retail Center
(At the northwest corner of U.S. 281 and Evans Road) | 9 | 483 D-6 |
| 11. | 070504 | The Corner at Potranco
(On the north side of Potranco Road, west of Richland Hills Drive) | 6 | 613 A-2 |
| 12. | 070550 | The Bluffs of Lost Creek, Unit 2
(Extension of Old Paso Way) | OCL | 447 D-4 |
| 13. | 070595 | Westpointe Commercial, Unit 1
(At the northeast corner of Ingram Road and State Highway 151) | 6 | 613 B-3 |
| 14. | 070625 | Cibolo Canyon, Unit 7A, Enclave
(On the northeast corner of Cibolo Canyon, and Bulverde Green) | OCL | 484 C-2 |
| 15. | 080058 | Fiesta Texas Vacating Declaration
(Southwest of the corner of IH 10 and La Cantera Parkway) | 8 | 514 B-4 |

INDIVIDUAL CONSIDERATION

PLATS:

16. 080016 **West Pointe Gardens, Unit 1A** (postponed from 2-13) 4/OCL646 A-3
(On the northwest corner of U.S. Highway 90 and Cagnon Road)

VARIANCES and APPEALS:

17. 080080 **Roadway Inn** (variance landlocked) 10 552 E-6
(On the west side of IH 35, south of Whirlwind Drive)

LAND TRANSACTIONS:

18. **S.P. No. 1275** Request to close, vacate and abandon a portion of a 10 foot wide (paper) alley located between Wilmot and West Commerce Street within NBC 8252. (Department of Asset Management, by Oscar Serrano)
19. **S.P. No. 1321** Request to close, vacate and abandon an unimproved 16-foot wide alley adjacent to NCB 992 located between N. Pine and Muth Streets. (Department of Asset Management, by Oscar Serrano)

COMPREHENSIVE MASTER PLANS:

20. 08001 - Public hearing and consideration of a resolution amending the Land Use Plan contained in the Arena District /Eastside Community Plan, a component of the Master Plan of the City, by changing the use of approximately 0.61 acres located at 2403, 2405, 2411, and 2415 East Commerce Street from Medium Density Single Family and Mixed Residential land use to Neighborhood Commercial land use. (Planning and Community Development Department by Tamara Palma, Planner; Nina Nixon-Mendez, Planning Manager)
21. 08012 - Continued from February 13, 2008. Public hearing and consideration of a resolution amending the Land Use Plan contained in the North Central Community Plan, a component of the Master Plan of the City, by changing the use of approximately 0.2-acres located at 866 Lee Hall more specifically described by legal description NCB 9215 BLK 12 LOT 29 from Low Density Residential land use to Community Commercial land use. (Planning and Community Development Department by Tamara Palma, Planner; Nina Nixon-Mendez, Planning Manager).
22. 08014 - Continued from February 13, 2008. Public hearing and consideration of a resolution amending the Land Use Plan contained in the Downtown Neighborhood Plan, a component of the Master Plan of the City, by changing the use of approximately 0.1463 acres located at 1309 W. Houston more specifically described by legal description NCB 2267 BLK 5 LOT 3 from Low Density Residential land use to Mixed

Use land use. (Planning and Community Development Department by Sidra Maldonado, Planner; Nina Nixon-Mendez, Planning Manager).

23. 08015 Public hearing and consideration of a resolution amending the Land Use Plan contained in the Highlands Community Plan, a component of the Master Plan of the City, by changing the use of approximately 0.13-acres generally located at 3119 S. Gevers more specifically described by legal description NCB 2946 BLK 8 Lot 16 from Low Density Residential land use to Neighborhood Commercial land use. (Planning and Community Development Department by Tyler Sorrells, Planner; Nina Nixon-Mendez, Planning Manager).

OTHER ITEMS:

24. Briefing and consideration of a request initiated by Councilmember Sheila McNeil, District 2, requesting a zoning amendment to the Unified Development Code regarding Payday Loan Agencies and Check Cashing Facilities. (Development Service, by Christopher Looney)
25. Consideration of a resolution appointing a Historic/Environmental Representative to the Planning Commission Technical Advisory Committee for an unexpired term. (Development Services)
26. Approval of the minutes for the February 13, 2008 Planning Commission meeting
27. Director's report
28. Questions and discussion
29. Executive Session: consultation on attorney-client matters (real estate, litigation, contracts, personnel, and security matters) as well as any of the above agenda items may be discussed
30. **ADJOURNMENT**

PLANNING COMMISSION
PUBLIC HEARING AND CONSIDERATION OF A REPLAT WITH
WRITTEN NOTIFICATION

AGENDA ITEM NO: 5A&6 February 27, 2008

S. GENERAL

MCMULLEN CENTER	MAJOR PLAT	<u>080056</u>
SUBDIVISION NAME		PLAT #

COUNCIL DISTRICT: 6

FERGUSON MAP GRID: 615 C-6

OWNER: Richard E. Hwang

ENGINEER: Ruiz and Associates by Ramon Ruiz

CASE MANAGER: Richard Carrizales, Senior Engineer Technician (207-8050)

Date filed with Planning Commission: February 27, 2008

Location: Near the southwest corner of Wallace Road and General McMullen

Services Available: SAWS Water and Sewer

Zoning: C-2 NA Commercial, Nonalcoholic Sales

C-3 R Restrictive Commerical

Proposed Use: Retail Center

Major Thoroughfare: South General McMullen is a primary arterial, Type A, minimum R.O.W. 120 feet.

APPLICANT'S PROPOSAL:

To plat **0.548** acres consisting of **1** non-single family lot.

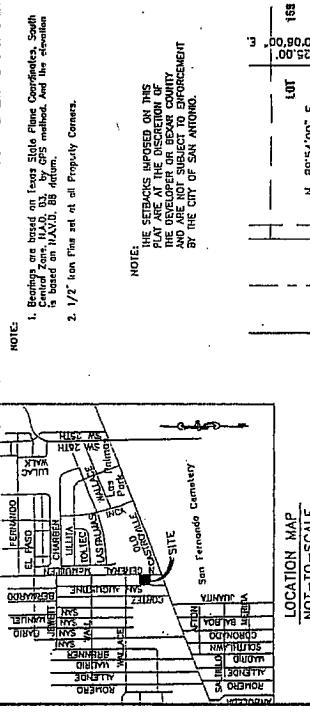
DISCUSSION:

The Planning Commission will hold a public hearing on the proposed replatting of this property on February 27, 2008. Twenty notices were

mailed to the adjacent property owners, as of this writing no written opposition have been submitted.

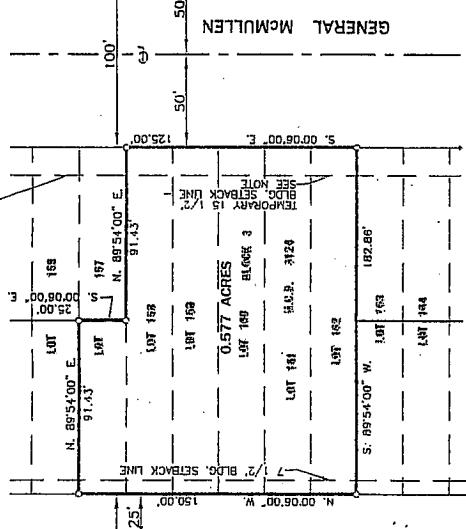
STAFF RECOMMENDATION:

Approval.



NOTE: USE STORMS APPROVED ON THIS
PLAN ARE AT THE DISCRETION OF
THE DEVELOPER OR BUILDER
AND ARE NOT SUBJECT TO ENFORCEMENT
BY THE CITY OF SAN ANTONIO.

NOTE: HE 1/2" SET-BACK LINE SHOWN
ON STEPHENSON ROAD IS THE SIDE OF
STEPHENSON ROAD, ON THE WEST SIDE OF
AND TO REINFORCE IN EFFECT ONLY
UNTIL SUCH TIME WHEN THE PROPERTY
IS SOLD LAST SITE OF STEPHENSON ROAD
IS FLUTED AND FILLED.



PLANNING COMMISSION
PUBLIC HEARING AND CONSIDERATION OF A REPLAT
AND SUBDIVISION PLAT

AGENDA ITEM NO: 5B&7 February 27, 2008

ST. BENEDICT'S REPLAT
SUBDIVISION NAME

MAJOR PLAT

080083
PLAT #

COUNCIL DISTRICT: 1

FERGUSON MAP GRID: 616 E-7

OWNER: St. Benedict's of SA, Ltd., by Stephen W. Yndo

ENGINEER: Alamo Consulting Engineering and Surveying, Inc., by Paul A.

Schroeder

CASE MANAGER: Elizabeth Adams, Planner (207-7912)

Date filed with Planning Commission: February 27, 2008

Location: At South Alamo Street and Sheridan Street

Services Available: SAWs Water and Sewer

Zoning:	IDZ H HS	Infill Development Zone Historic District Historic Significant
	C-2 H	Commercial Historic District

Proposed Use: Restaurant

Major Thoroughfare: Alamo Street is a secondary arterial, Type B, minimum R.O.W. 70 feet.

APPLICANT'S PROPOSAL:

To plat 0.53 acres consisting of 2 non-single family lots.

DISCUSSION:

The applicant is proposing to replat a portion of one lot into one lot. The area to be replatted is described as a portion of lot 25, Blk 6, NCB 747, out of the St. Benedict's plat, as recorded in Volume 9574, Page 144, of the deed and plat records of Bexar County, Texas.

STAFF RECOMMENDATION:

Approval

**PLANNING COMMISSION
REPLAT AND SUBDIVISION PLAT**

AGENDA ITEM NO: 8 February 27, 2008

**GARDEN BROOK ESTATES MAJOR PLAT
SUBDIVISION NAME**

**060326
PLAT #**

COUNCIL DISTRICT: 6

FERGUSON MAP GRID: 613 B-6

OWNER: Clyde Johnson

ENGINEER: Seda Consulting Engineers, Inc., by Salah Diab, P.E.

CASE MANAGER: Richard Carrizales, Senior Engineer Technician (207-8050)

Date filed with Planning Commission: February 11, 2008

Location: Near the corner of Cable Ranch Road and Garden Brook.

Services Available: BexarMet Water and SAWS Sewer

Zoning: RM-4 Residential Mixed

Plat is in accordance with:

MDP 60, Westlakes, accepted on November 7, 1985.

Proposed Use: Duplexes

APPLICANT'S PROPOSAL:

To plat **2.027** acres consisting of **9** non-single family lots and **220** linear feet of public street.

STAFF RECOMMENDATION:

Approval.

**PLANNING COMMISSION
SUBDIVISION**

AGENDA ITEM NO: 9 February 27, 2008

**SONOMA VERDE UNIT 6
SUBDIVISION NAME**

MAJOR PLAT

070142
PLAT #

COUNCIL DISTRICT: Outside San Antonio City Limits

FERGUSON MAP GRID: 513 C-3

OWNER: Sonoma Verde Ventures, Ltd., by Shaul Baruch

ENGINEER: Kimley-Horn and Associates, Inc., by Brian J. Parker

CASE MANAGER: Elizabeth Adams, Planner (207-7912)

Date filed with Planning Commission: February 13, 2008

Location: West side of Kyle Seale Parkway at Sonoma Ridge

Services Available: SAWS Water and Sewer

Zoning: Outside San Antonio City Limits

Plat is in accordance with:

MDP 835, Sonoma Verde was accepted on August 18, 2005.

Proposed Use: Single Family Residential

Major Thoroughfare: Kyle Seale Parkway is a secondary arterial, Type A, minimum R.O.W. 86 feet.

APPLICANT'S PROPOSAL:

To plat **76.54** acres consisting of **155** single family lots, **8** non-single family lots and **7,174** linear feet of public streets.

DISCUSSION:

The Development Services Department has cited: Section 35-506 (d) (1), Table 506-3 and Section 35-506 (d) (2), Table 506-3 of the UDC regarding Minimum "K" Crest Curve and "K" Sag Curve Values. The applicant's engineer has submitted a request for an Administrative Exception to the requirements.

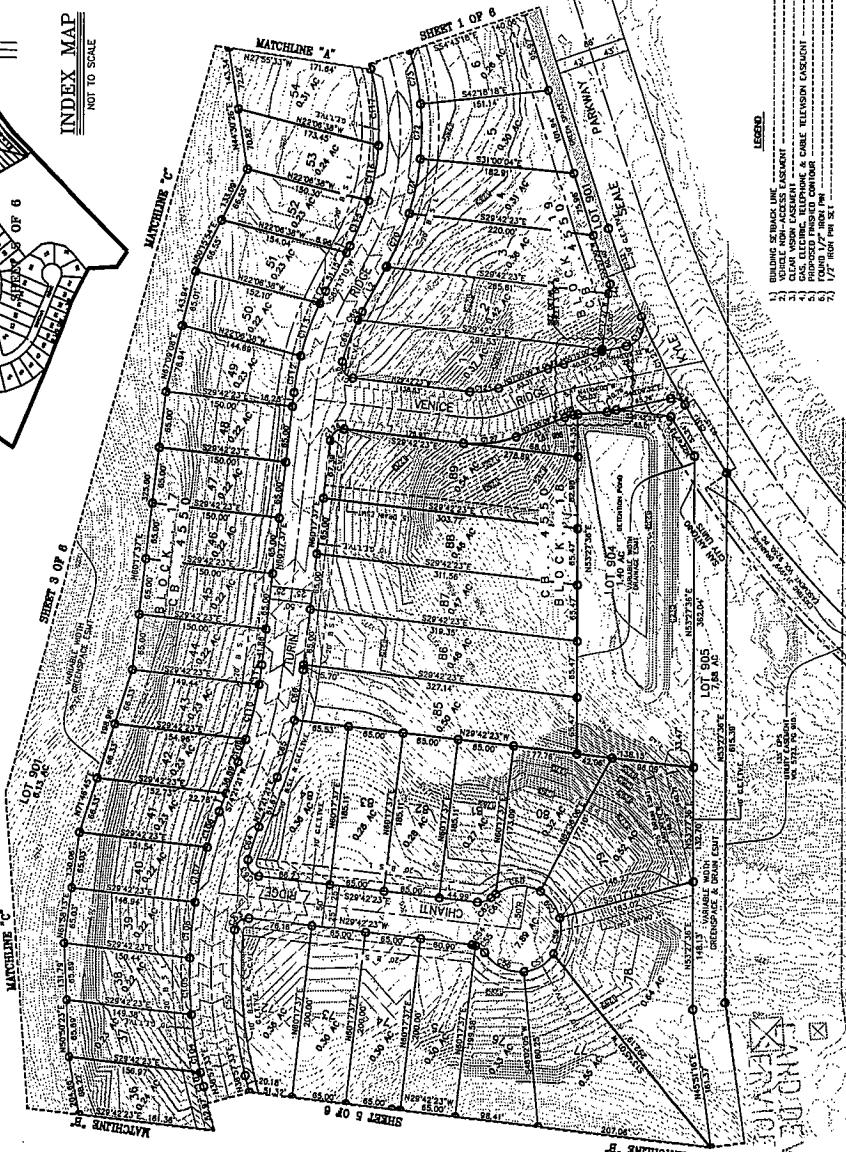
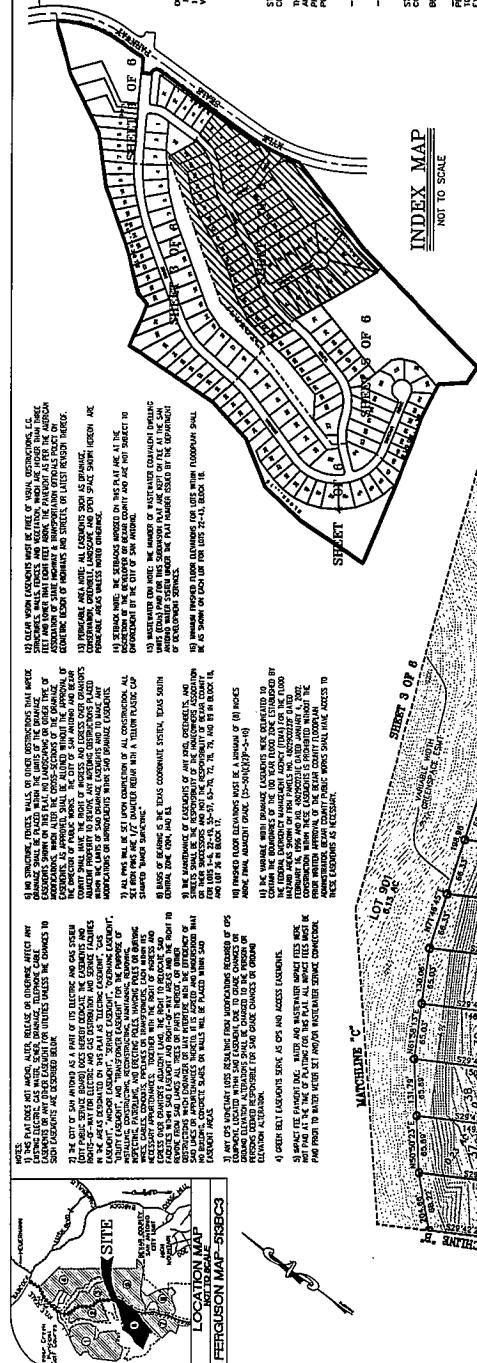
The Development Services Director has granted an administrative exception to Section 35-506 (d) (1), Table 506-3 and Section 35-506 (d) (2), Table 506-3 of the UDC as indicated in the attached reports.

STAFF RECOMMENDATION:

Approval

SONOMA VERDE - UNIT 6

SHEET 2 OF 6



08 FEB 20 AM 11:15 [GRAPHIC] SCALE

GRAPHIC SCALE

MEMBER
Society of
Professional
Surveyors
T. A. L. A. V.

Kimley-Horn
15 NE Loop 410
San Antonio, Texas 78216



Kimley-Horn
and Associates, Inc.

REC'D
07 JUN 25 PM 3:04

LAND DEVELOPMENT
SERVICES DIVISION

June 14, 2007

Mrs. Donna Schueling
COSA Case Manager
Department of Development Services
1901 South Alamo Street
San Antonio, Texas 78204

Suite 890
45 NE Loop 410
San Antonio, Texas
78216

Re: Sonoma Verde Unit 6,
Plat #070142 (Located outside of the city limits within ETJ)
Administrative Exception to (UDC):35-506(d)(1)
Article V, Table 506-3 (K-Values)

Dear Mrs. Schueling:

We hereby request an Administrative exception from the following section of the City of San Antonio Unified Development Code (UDC):35-506(d)(1) Article V, Table 506-3 as it pertains to street "K" values.

This request pertains to the street vertical curve located on following table:

Sheet Number	Street Name	Type of Curve	PVI	Length of Curve	Grade 1	Grade 2	Calculated Stopping Sight Distance (Design Speed)	K-value Required (Most Restrictive)	K-value Requested
C-7.4	Turin Ridge (Local A)	Vertical Sag	1+50	60 ft	8.00%	12.00%	180' to 225'	35 (UDC) DH-G1 - 90' DH-G2 - 85' UH-G2 - 75' UH-G1 - 75' (15 MPH) (AASHTO)	15 0 -1 -4 -4 (AASHTO)

The design K-value for this vertical curve at the intersection of Turin Ridge and Sonoma Ridge is 15 and exceeds the calculated AASHTO most restrictive k-value of 0 (Please see attached Exhibit A). A 15 mph speed design was establish as the average design speed for a traffic turn at an intersection.

The following assumptions were used to determine the AASHTO value:
Headlight height = 2.0 ft; $\beta = 1^\circ$ (β is the angle of divergence from the line of



Kimley-Horn
and Associates, Inc.

7/25/04
07 JUN 25 PM 3:04

RECEIVED
SHERIFF'S OFFICE

sight by the headlight beams); brake reaction time = 2.5 seconds, and deceleration rate = 11.2 ft/s^2 .

Your consideration and approval of this request is greatly appreciated. Please do not hesitate to contact me if you have any questions or require additional information.

Suite 890
45 NE Loop 410
San Antonio, Texas
78216

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Steven Flores".

Steven N. Flores, E.I.T.
45 NE Loop 410, Suite 890
San Antonio, Texas 78216
Ph: 210.541.9166
Direct: 210.321.3409
Fax: 210.541.8699

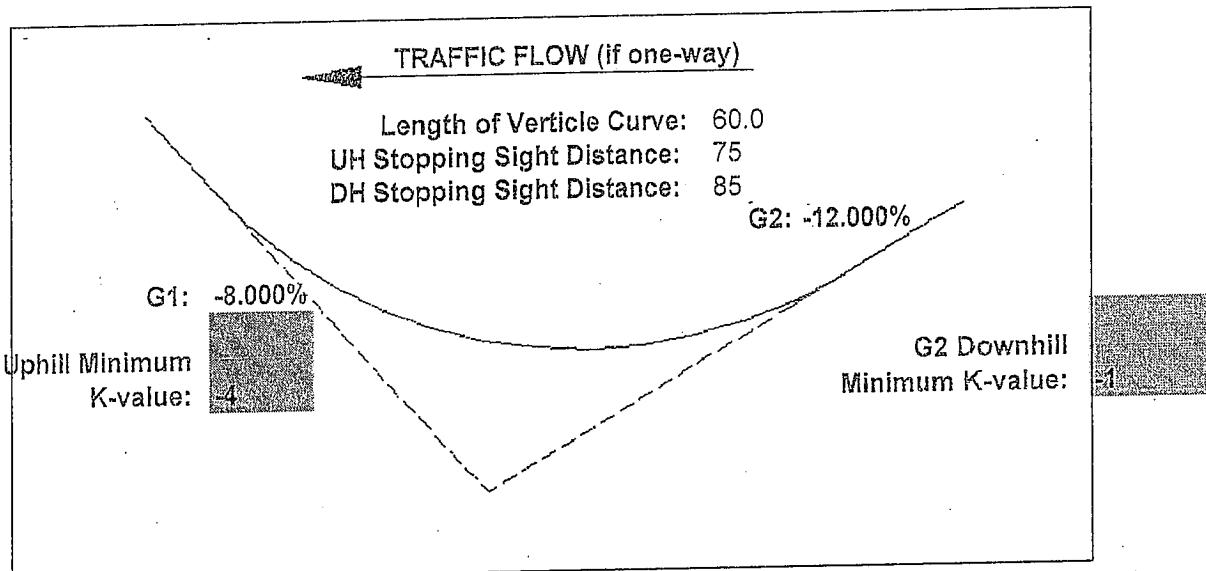
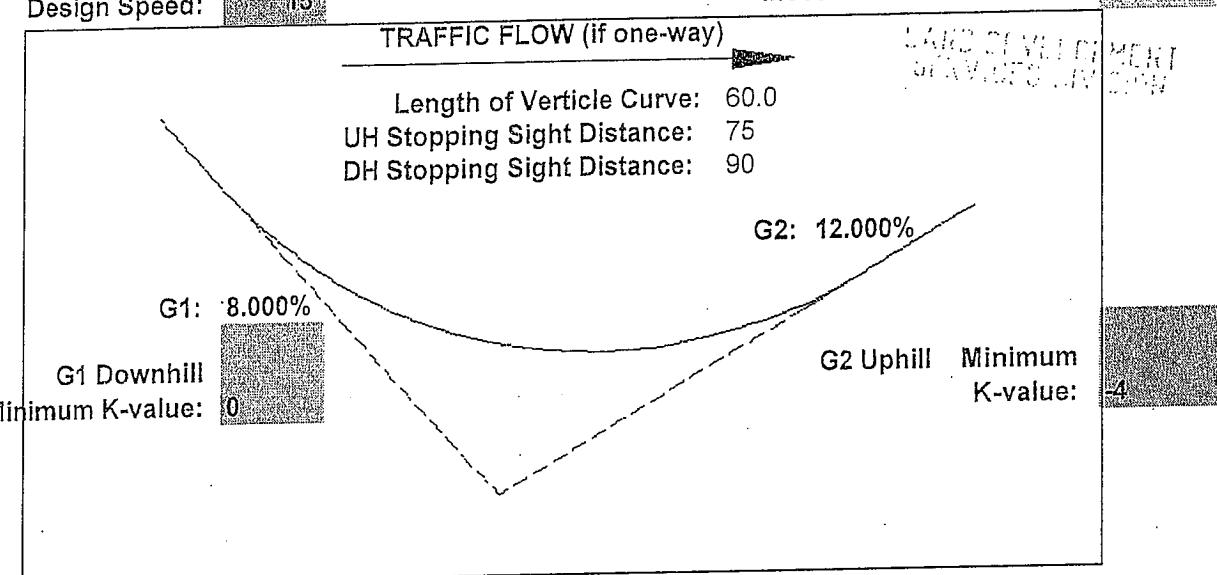
K-Value Determination (Sag Curve, S>L)

Design Speed:

15

Most Restrictive K-Value:

0



Determination of Vertical Curve Elevations (Symmetrical Parabolic)

Street Name: Turin Ridge

Plat #: 070142

Length of Vertical Curve (ft)

60.00

Elevation of PVC

Grade g_1 (%)

8.000%

Grade g_2 (%)

12.000%

Distance From PVC at Which Elevation is to be Calculated (ft)

Elevation at Desired Location is

0.00

Assumptions: Headlight height = 2.0 ft; $\beta = 1.0\%$; Brake reaction time = 2.5 s; deceleration rate = 11.2 ft/s².
Two-way traffic is assumed in the determination of the most restrictive K-value.



RECEIVED

09 FEB 11 PM 2007

**INFRASTRUCTURE SERVICES DEPARTMENT
PUBLIC WORKS DIVISION**

233 N. Pecos - La Trinidad, Suite 420/DEVELOPMENT

San Antonio, Texas 78207/PUBLIC WORKS DIVISION

210-335-6700 (Voice) | 210-335-6713 (Fax)

ADMINISTRATIVE EXCEPTION VARIANCE REQUEST ANALYSIS

Project:	Sonoma Verde Unit 6 A subdivision plat consisting of 161 lots on 76.539 acres with 6,703 lf of public road.
Address:	Kyle Seale Parkway and Sonoma Ridge (See Aerial) Ferguson Map Grid 513/C3
A/P #/PPR #/Plat #:	070142
AEVR #:	
AEVR Submittal Date:	06/25/2007
AEVR Submitted by:	Steven Flores, Kimley-Horn and Associates, Inc.
Issue:	Turin Ridge – Sag Vertical Curve K-Value
Code Sections:	2006 Unified Development Code (UDC), Section 35-506 (d)(2), Table 506-3 – “K” Sag Curve Values
By:	Robert G. Brach, P.E. – Development Services Manager

The Development Services Department (DSD) Administrative Exception Variance Request Committee (AEVRC) has reviewed the information presented in Mr. Flores' letter dated June 14, 2007. At issue are the minimum K-values listed in Table 506-3 for Sag Curves.

The AEVRC analyzed the exception request for the criteria listed under 35-436(e) as follows:

1. The minimum K-value established by the UDC for a public Local A Street is 35 for Vertical Sag Curve which is based upon the maximum grade of 12% and a design speed of 30 MPH. The vertical curve is located near the intersection of Turin Ridge and Sonoma Ridge in the 350' vertical curve which would accommodate a design speed of 20 MPH per AASHTO design standards based on the actual K-Value (see attached Sag Curve Analysis).
2. The applicant has taken all practical measures to minimize adverse impacts on the public health, safety, and public welfare. The vertical curve was created to provide a smooth transition from an intersection and to minimize the amount of cut to comply with the minimum roadway grade for a Local A street as called out in the UDC.
3. Given the topography of the development and the measures that have been undertaken by the developer, and that the K-values established by the UDC exceed those of AASHTO, the public interest underlying the exception outweighs the public interest of the regulation.

Administrative Exception Variance Request Analysis
Sonoma Verde, Unit 6
Section 35-506 (d)(2) – Vertical Curvature
Table 506-3, "K" Sag Curve Values

RECEIVED
Page 2 of 2
July 20, 2007

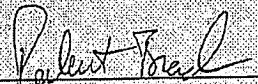
08 FEB 11 PM 2:23

4. All other applicable standards of the UDC are being complied with to the extent possible for this development.

LAND DEVELOPMENT
SERVICES DIVISION

The AEVRC believes the proposed exception does meet the intent of the UDC and will not result in a waiver of a traffic safety UDC requirement.

RECOMENDATION: Approve



Robert Brach, P.E.

1/24/07

Date

7/20/07

I have reviewed the AEVR Analysis and concur with the recommendation.



Fernando J. De León, P.E.
Assistant Director
DSD

7/24/07

Date



Kimley-Horn
and Associates, Inc.

October 11, 2007

Mrs. Donna Schueling
COSA Case Manager
Department of Development Services
1901 South Alamo Street
San Antonio, Texas 78204

Suite 890
45 NE Loop 410
San Antonio, Texas
78216

Re: Sonoma Verde Unit 6,
Plat #070142 (Located outside of the city limits within ETJ)
Administrative Exception to (UDC):35-506(d)(1)
Article V, Table 506-3 (K-Values)

Dear Mrs. Schueling:

We hereby request an Administrative exception from the following section of the City of San Antonio Unified Development Code (UDC):35-506(d)(1) Article V, Table 506-3 as it pertains to street "K" values.

This request pertains to the street vertical curve located on following table:

DEPARTMENT OF DEVELOPMENT SERVICES

Sheet Number	Street Name	Type of Curve	PVI	Length of Curve	Grade 1	Grade 2	Calculated Stopping Sight Distance (Design Speed)	K-value Required (Most Restrictive)	K-value Requested
C-7.1	Sonoma Ridge (Local A)	Vertical Crest	2+16.72	50 ft	6.09%	-0.50%	180' to 225' DH-G1 - 80' DH-G2 - 90' UH-G2 - 75' UH-G1 - 80' (15 MPH)	30 (UDC) -2 1 1 -1 (AASHTO)	7.59

The design K-value for this vertical curve at the intersection of Sonoma Ridge and Kyle Seale Pkwy is 7.59 and exceeds the calculated AASHTO most restrictive k-value of 1 (Please see attached Exhibit A). A 15 mph design speed was establish as the average design speed for a traffic turn at an intersection.

The following assumptions were used to determine the AASHTO value:
Headlight height = 2.0 ft; $\beta = 1^\circ$ (β is the angle of divergence from the line of



Kimley-Horn
and Associates, Inc.

sight by the headlight beams; brake reaction time = 2.5 seconds; and deceleration rate = 11.2 ft/s^2 .

Your consideration and approval of this request is greatly appreciated. Please do not hesitate to contact me if you have any questions or require additional information.

Suite 890
45 NE Loop 410
San Antonio, Texas
78216

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "E. Z. Guerrero".

Emiliano Z. Guerrero, P.E.
45 NE Loop 410, Suite 890
San Antonio, Texas 78216
Ph: 210.541.9166
Direct: 210.321.3409
Fax: 210.541.8699

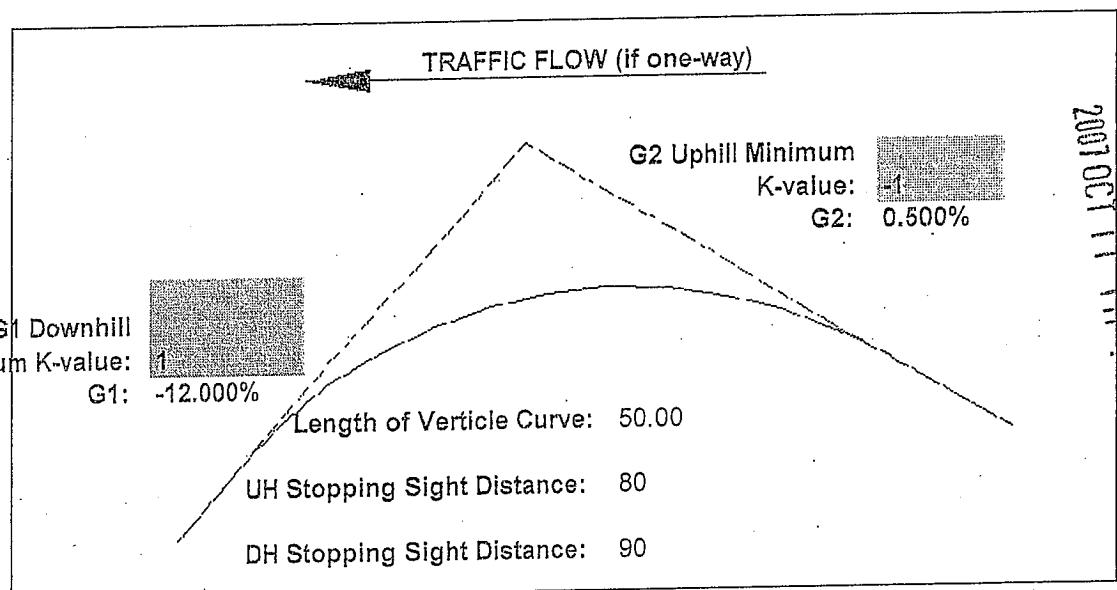
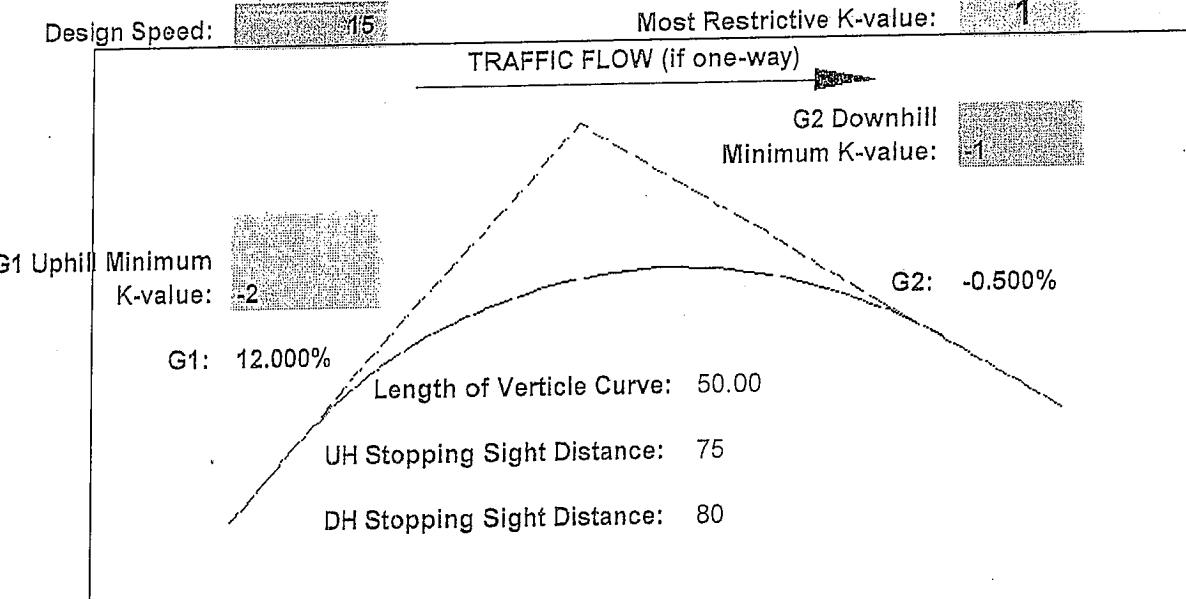
DEVELOPMENT SERVICES
RECEIVED
2007 OCT 11 PM 4:02

TEL 210 541 9166

FAX 210 541 8699

G:\CIVIL\00880\7008 Sonoma Verde Parcel 6\DOCS\lr-COSA\Admin\Exception\SV6_10-11-07.doc

K-Value Determination (Crest Curve, S>L)



DEVELOPMENT SERVICES
RECEIVED

Determination of Vertical Curve Elevations (Symmetrical Parabolic)

Street Name: Resort View

Plat #: 060386

Length of Vertical Curve (ft)	50.00
Elevation of PVC	0.00
Grade g_1 (%)	12.000%
Grade g_2 (%)	-0.500%

Distance From PVC at Which Elevation is to be Calculated (ft)

36.94

Elevation at Desired Location is 2.73

Assumptions: Height of driver's eye = 3.5 ft; Height of tail light = 2.0 ft; Brake reaction time = 2.5 s;
deceleration rate = 11.2 ft/s². Two-way traffic is assumed in the determination of the most restrictive K-value.

RECEIVED



**INFRASTRUCTURE SERVICES DEPARTMENT
PUBLIC WORKS DIVISION**

233 N. Pecos - La Trinidad, Suite 420
San Antonio, Texas 78207
210-335-6700 (Voice) | 210-335-6713 (Fax)

ADMINISTRATIVE EXCEPTION VARIANCE REQUEST ANALYSIS

Project:	Sonoma Verde Unit 6
Address:	Sonoma Ridge PVI Sta 002+16.72
A/P #/PPR #/Plat#:	070142
AEVR #:	
AEVR Submittal Date:	October 11, 2007
AEVR Submitted by:	Emiliano Guerrero, P.E., Kimley-Horn and Associates, Inc.
Issue:	Vertical Curve Crest K-value
Code Sections:	2006 Unified Development Code (UDC), Section 35-506 (d)(1), Table 506-3, Minimum "K" Crest Curve
By:	Robert G. Brach, P.E. – Development Services Manager

The Development Services Department (DSD) Administrative Exception Variance Request Committee (AEVRC) has reviewed the information presented in Mr. Guerrero's letter dated October 11, 2007. At issue is the minimum K-value for a crest vertical curve for Sonoma Ridge which a street with a collector section that is tying into an existing street portion constructed with Kyle-Seale Parkway. The proposed design curve has a K-value of 7.59.

The Unified Development Code (UDC) – Article V, Section 35-506 (d)(1) and Table 506-3, requires a minimum K-value of 55 for a collector street vertical crest curve. A collector section is required to connect to the secondary arterial. The subdivision is surrounded by a municipal golf course on three sides and the development to the South will have access to Kyle Seale on Camp Bullis Road. Therefore, the road does not connect neighborhoods within and between subregions and will function more as a Local A. In analyzing the road to the proposed design layout as a Local A with consideration of the curve's distance to the stop controlled intersection, the DSD AEVRC agrees with the analysis provided in the applicant's letter for the following reasons:

1. A unique hardship exists in the tie-in to an existing street segment located off a secondary arterial street. Additionally, the topography of the development does not provide conditions favorable to the construction or the continuation of a collector street.
2. The topography does offer a challenge due to the tie-in with the existing street segment.
3. The hardship is unique given the location of the street connection and the topography of the area.

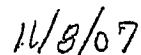
4. The applicant will add a "Stop Ahead" advance warning sign to be located between Block 22, Lots 1 and 2 to alter the motorist of the stop sign at Kyle Seale.
5. The approval of this variance will not be injurious to the other property or public health. The layout of the vertical curve will allow a motorist leaving the subdivision to see the stop sign at a distance of approximately 360' where the road is beginning its transition from a Local A to a Collector. The motorist will also have approximately 215' to observe an object two feet above the road before coming to a stop which is the minimum distance needed to stop a vehicle traveling at 30 MPH on wet pavement. Traffic turning off of Kyle Seale Parkway most likely will not reach a speed in excess of 30 MPH. The minimum AASHTO calculated crest K-value for the traffic driving from Kyle Seale based on 30 MPH is 7 which is in line with the proposed K-value.

The AEVRC believes the proposed exception does meet the intent of the UDC and will not result in a waiver of a traffic safety UDC requirement.

RECOMENDATION: APPROVAL

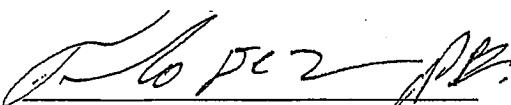


Robert Brach, P.E.
Development Services Engineer
Bexar County

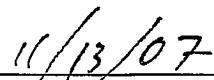


Date

I have reviewed the AEVR Analysis and concur with the recommendation.



Fernando J. De León, P.E.
Assistant Director
DSD

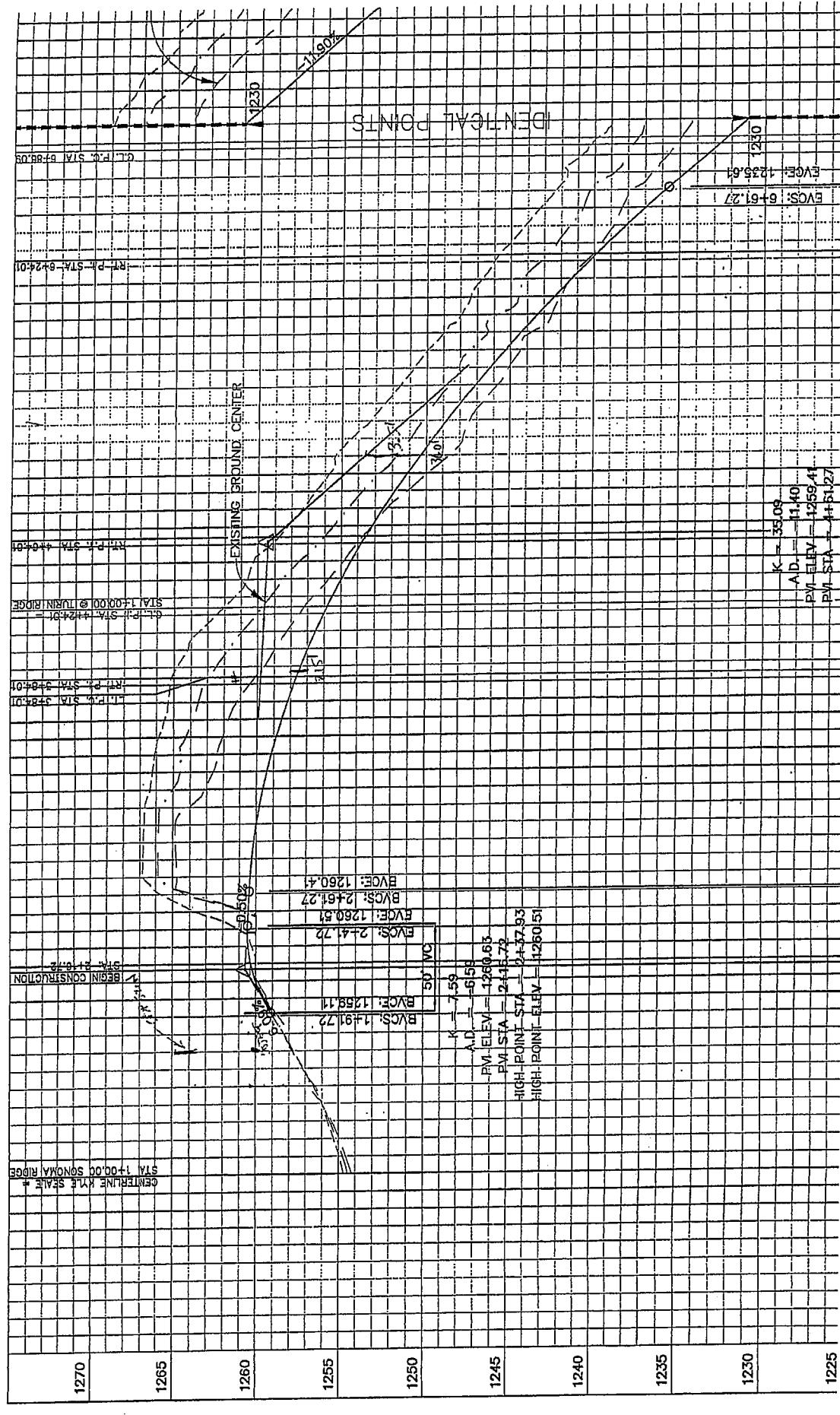


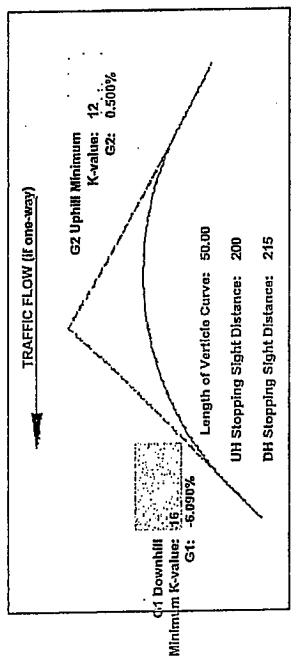
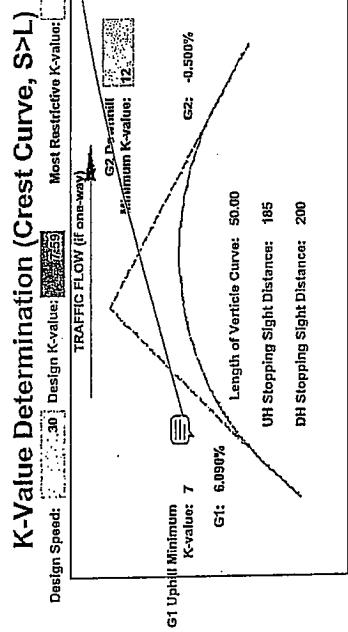
Date

SONOMA

STA: 1+00.00 =

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELT A	
C1	452.22	1000.00	2554'37"	





Determination of Vertical Curve Elevations

Street Name:	Sonoma Ridge (PVI Sta 00+46.72)	Plot #:	070142
Length of Vertical Curve (l)	50.00	Elevation of PVC	1255.11
Grade G1 (%)	6.090%	Grade G2 (%)	-0.500%
Distance From PVC at Which Elevation is to be Calculated (n)	25.00	Elevation at Desired Location is	1260.22

Assumptions: Height of driver's eye = 3.5 ft; Height of tell-tale = 2.0 ft; Brake reaction time = 2.5 s; deceleration

**PLANNING COMMISSION
SUBDIVISION**

AGENDA ITEM NO: 10 February 27, 2008

**STONE RIDGE
MARKET RETAIL CENTER
SUBDIVISION NAME**

MAJOR PLAT

070205

PLAT #

COUNCIL DISTRICT: 9

FERGUSON MAP GRID: 483 D-6

OWNERS: Big Springs Concepts, Inc. by Frank Sitterle
HEB Grocery Company, LP by Todd A. Piland

Stone Ridge Market Phase I and II, Ltd by Robert W. Barnes

ENGINEER: Pape-Dawson Engineers, Inc., by Brice Moczygembba, P.E.

CASE MANAGER: Robert Lombrano, Planner (207-5014)

Date filed with Planning Commission: February 14, 2008

Location: At the northwest corner of U.S. 281 and Evans Road.

Services Available: Bexar Metropolitan Water District and SAWS Sewer

Zoning: C-3 General Commercial District
ERZD Edwards Recharge Zone District

Plat is in accordance with:

MDP # 48A, Stone Oak was accepted on June 23, 2006.

Proposed Use: Commercial

Major Thoroughfare: Evans Road is a secondary arterial Type A minimum R.O.W. 86 feet and US Highway 281 is a Freeway minimum R.O.W. 250-500 feet.

APPLICANT'S PROPOSAL:

To plat **55.73** acres consisting of **10** non-single family lots and **2,913.14** linear feet of public streets.

DISCUSSION:

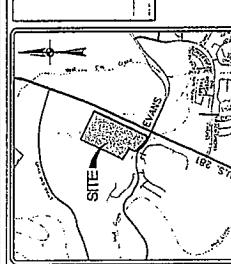
This plat lies within the Edwards Recharge Zone District and has been reviewed by the Aquifer Protection and Evaluation Section of the San Antonio Water Systems, as indicated in the attached report. No significant recharge features were observed on this site. This plat meets all of the requirements for development over the recharge zone.

STAFF RECOMMENDATION:

Approval

STONE RIDGE MARKET RETAIL CENTER

PLAT NO. 070205



LOCATION MAP

NOT-TO-SCALE

SCALE: 1" = 100'

300'

200'

100'

50'

25'

10'

5'

2'

1'

1/2'

1/4'

1/8'

1/16'

1/32'

1/64'

1/128'

1/256'

1/512'

1/1024'

1/2048'

1/4096'

1/8192'

1/16384'

1/32768'

1/65536'

1/131072'

1/262144'

1/524288'

1/1048576'

1/2097152'

1/4194304'

1/8388608'

1/16777216'

1/33554432'

1/67108864'

1/134217728'

1/268435456'

1/536870912'

1/1073741840'

1/2147483680'

1/4294967360'

1/8589934720'

1/17179869440'

1/34359738880'

1/68719477760'

1/137438955200'

1/274877810400'

1/549755620800'

1/1099511216000'

1/2199022432000'

1/4398044864000'

1/8796089728000'

1/17592174400000'

1/35184348800000'

1/70368697600000'

1/140737395200000'

1/281474790400000'

1/402219185600000'

1/804438371200000'

1/160887674400000'

1/321775348800000'

1/643550697600000'

1/1287101392000000'

1/2574202784000000'

1/5148405568000000'

1/10296811360000000'

1/20593622720000000'

1/41187245440000000'

1/82374490880000000'

1/164748981600000000'

1/329497963200000000'

1/658995926400000000'

1/1317991856000000000'

1/2635983712000000000'

1/5271967424000000000'

1/10543934880000000000'

1/210878697600000000000'

1/4217573952000000000000'

1/84351479040000000000000'

1/168702958400000000000000'

1/3374059168000000000000000'

1/67481183360000000000000000'

1/1349623672000000000000000000'

1/26992473440000000000000000000'

1/538849468800000000000000000000'

1/10776989376000000000000000000000'

1/215539787520000000000000000000000'

1/53067957504000000000000000000000000'

1/10613985502400000000000000000000000000

1/2122797100480000000000000000000000000000

1/424559420096000000000000000000000000000000

1/84911884019200000000000000000000000000000000

1/1698237680384000000000000000000000000000000000

1/3396475360768000000000000000000000000000000000000

1/679295072153600000000000000000000000000000000000000

1/135858514431200

1/2717170288624000

1/543434057724800

1/10868681154896000

1/2173736230979200

1/43474724619584000

1/8694944923916800

1/1738988987833600

1/34779779756672000

1/6955955951334400

1/1391191182668800

1/27823823653376000

1/5564764730675200

1/1112952946130400

1/22259058922608000

1/4451811784521600

1/89036225682432000

1/17807245136486400

1/35614490272972800

1/712289805459456000

1/142457961091812000

1/28491592218362400

1/569831844367248000

1/1139663688734496000

1/227932737746899200

1/4558654754937984000

1/911730950987596800

1/18234619019751936000

1/3646923803950387200

1/72938476079007744000

1/14587695214801548800

1/291753904296030976000

1/58350780859206195200

1/116701561718412384000

1/23340312343682476800

1/46680624687365136000

1/93361249374731272000

1/186722495489465544000

1/373444985978930984000

1/74688997195786196800

1/149377994391533936000

1/29875598878306787200

1/59751197756613574400

1/119402395033427488000

1/238804780066854976000

1/477609560133799536000

1/955219120279990672000

1/19094382405599813600

1/38188764811198427200

1/76377529622396854400

1/152755059247793736000

1/305510118495587472000

1/611020226987174944000

1/12220404537735498800

1/244408090755709976000

1/488816181511419952000

1/977632363022839904000

1/19552647266556785600

1/3909



Mr. Trey Marsh, P.E.
Pape-Dawson Engineers, Inc.
555 East Ramsey
San Antonio, Texas 78216

RECEIVED

08 JAN -4 AM 10: 22

September 11, 2007

LAND DEVELOPMENT
SERVICES DIVISION

RE: File No. 0708003 - Request for review of **Stone Ridge Market Retail Center, Plat No. 070205** located on the northwest corner of the intersection of US Hwy. 281 and Evans Road

Dear Mr. Marsh:

On August 16, 2007, the Aquifer Protection & Evaluation Section of the Resource Protection Division of the San Antonio Water System (SAWS) received a request to review a plat for the property referenced above. Staff reviewed the documentation submitted and conducted field observations of the referenced plat to ensure compliance with applicable requirements for development over the Edwards Aquifer Recharge Zone (EARZ). The land use of the subject plat is for commercial and consists of approximately 55.150 acres located entirely within the EARZ. No significant features were observed. The property is not within the 100-year floodplain preservation area.

The proposed development is a **Category 1** property under the provisions of Aquifer Protection Ordinance No. 81491-File No. 187. Should any documentation become available that would alter this Category designation, the documentation may be submitted to the San Antonio Water System for review and possible Category redesignation.

A Water Pollution Abatement Plan (WPAP) has been submitted to the Texas Commission on Environmental Quality (TCEQ) and approved in their letter dated August 23, 2007. Since only private service laterals will be used at this site, no Organized Sewage Collection System (SCS) Plan was submitted to the TCEQ.

After careful review of the project and the documentation submitted by the applicant, the Aquifer Protection & Evaluation Section of the Resource Protection Division of the San Antonio Water System, recommends the approval of Stone Ridge Market Retail Center, Plat No. 070205.

If you have any questions regarding this matter, please contact the Aquifer Protection & Evaluation Section at (210) 233-3520.

Sincerely,

Kirk M. Nixon
Manager
Resource Protection Division

KMN:GDJ:pzg

**PLANNING COMMISSION
SUBDIVISION**

AGENDA ITEM NO: 11 February 27, 2008

**THE CORNER AT POTRANCO
SUBDIVISION NAME**

MAJOR PLAT

**070504
PLAT #**

COUNCIL DISTRICT: 6

FERGUSON MAP GRID: 613 A-2

OWNER: J Allen Family Partners, LTD., by James Allen

ENGINEER: KFW Engineers, by Steven D. Krauskopf

CASE MANAGER: Luz Gonzales, Planner (207-7898)

Date filed with Planning Commission: February 13, 2008

Location: On the north side of Potranco Road, west of Richland Hills Drive

Services Available: SAWS Water and Sewer

Zoning: C-3R General Commercial Restrictive District

C-3 General Commercial District

GC2 Gateway Corridor 2 District

Proposed Use: Commercial

Major Thoroughfare: Potranco Road is a primary arterial, Type A, minimum R.O.W. 120 feet.

APPLICANT'S PROPOSAL:

To plat 18.29 acres consisting of 6 non-single family lots.

STAFF RECOMMENDATION:

Approval

**PLANNING COMMISSION
SUBDIVISION**

AGENDA ITEM NO: 12 February 27, 2008

THE BLUFFS OF LOST

CREEK UNIT 2

SUBDIVISION NAME

MAJOR PLAT

070550

PLAT #

COUNCIL DISTRICT: Outside San Antonio City Limits

FERGUSON MAP GRID: 447 D-4

OWNER: Centex Homes by Charles Marsh

ENGINEER: Pape-Dawson Engineers, Inc., by Jon Adame, P.E.

CASE MANAGER: Richard Carrizales, Senior Engineer Tech (207-8050)

Date filed with Planning Commission: February 13, 2008

Location: Extension of Old Paseo Way.

Services Available: SAWS Water and Sewer

Zoning: OCL Outside City Limits

Plat is in accordance with:

MDP 828B, Lost Creek III Amendment, accepted on September 4, 2007.

Proposed Use: Park and street

APPLICANT'S PROPOSAL:

To plat **15.51** acres consisting of **3** non-single family lots and **1,640** linear feet of public streets.

STAFF RECOMMENDATION:

Approval

**PLANNING COMMISSION
SUBDIVISION**

AGENDA ITEM NO: 13 February 27, 2008

**WESTPOINTE
COMMERCIAL UNIT 1
SUBDIVISION NAME**

MAJOR PLAT

**070595
PLAT #**

COUNCIL DISTRICT: 6

FERGUSON MAP GRID: 613 B-3

OWNER: Double R12 Investments, LTD., by Dennis Haire

ENGINEER: Macina Bose Copeland & Associates, Inc., by Dawn M. Robinson

CASE MANAGER: Elizabeth Adams, Planner (207-7912)

Date filed with Planning Commission: February 8, 2008

Location: At the northeast corner of Ingram Road and State Highway 151

Services Available: SAWS Water and Sewer

Zoning: C-3 General Commercial District
GC-2 Highway 151 Gateway Corridor District

Plat is in accordance with:

MDP 107-A, Park 410 West was accepted on April 13, 2004.

Proposed Use: Retail

Major Thoroughfare: State Highway 151 is a freeway, minimum R.O.W. 250 feet. Ingram Road is a secondary arterial, Type A, minimum R.O.W. 86 feet.

APPLICANT'S PROPOSAL:

To plat **9.620** acres consisting of **6** non-single family lots.

STAFF RECOMMENDATION:

Approval

**PLANNING COMMISSION
SUBDIVISION**

AGENDA ITEM NO: 14 February 27, 2008

CIBOLO CANYON-UNIT 7A, ENCLAVE MAJOR PLAT 070625
SUBDIVISION NAME PLAT #

COUNCIL DISTRICT: Outside San Antonio City Limits

FERGUSON MAP GRID: 484 C-2

OWNER: Forestar (USA) Real Estate Group Inc., by David M. Grimm

ENGINEER: Pape-Dawson Engineers, Inc., by Dennis R. Rion

CASE MANAGER: Luz M. Gonzales, Planner (207-7898)

Date filed with Planning Commission: February 20, 2008

Location: On the northeast corner of Cibolo Canyon and Bulverde Green

Services Available: SAWS Water and Sewer

Zoning: Outside San Antonio City Limits

Plat is in accordance with:

MDP #452, Evans Tract, accepted on January 20, 1995.

Proposed Use: Single Family Residential

APPLICANT'S PROPOSAL:

To plat **28.85** acres consisting of **49** single family lots, **2** non-single family lots and **4,072** linear feet of private streets.

DISCUSSION:

This plat lies within the Edwards Recharge Zone District and has been reviewed by the Aquifer Protection and Evaluation Section of the San Antonio Water Systems, as indicated in the attached report. No significant

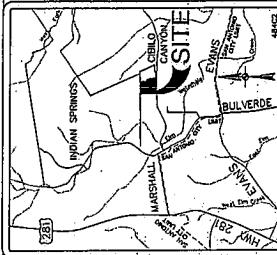
recharge features were observed on this site. This plat meets all of the requirements for development over the recharge zone.

STAFF RECOMMENDATION:

Approval

PLAT NO. 070625

LEGEND



SCALE : 1"=100'

0' 100' 200' 300'

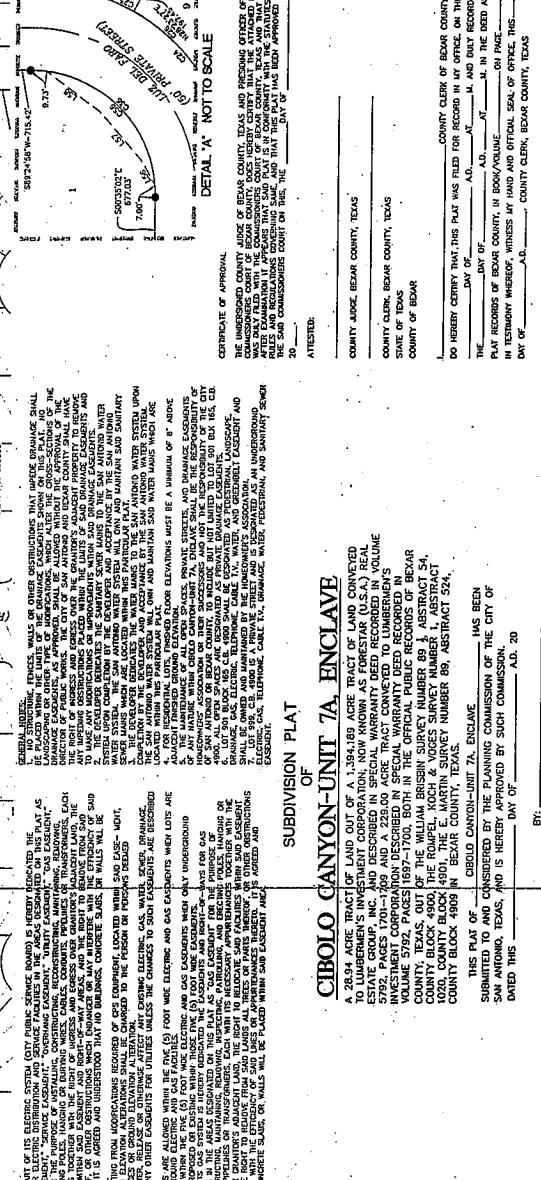
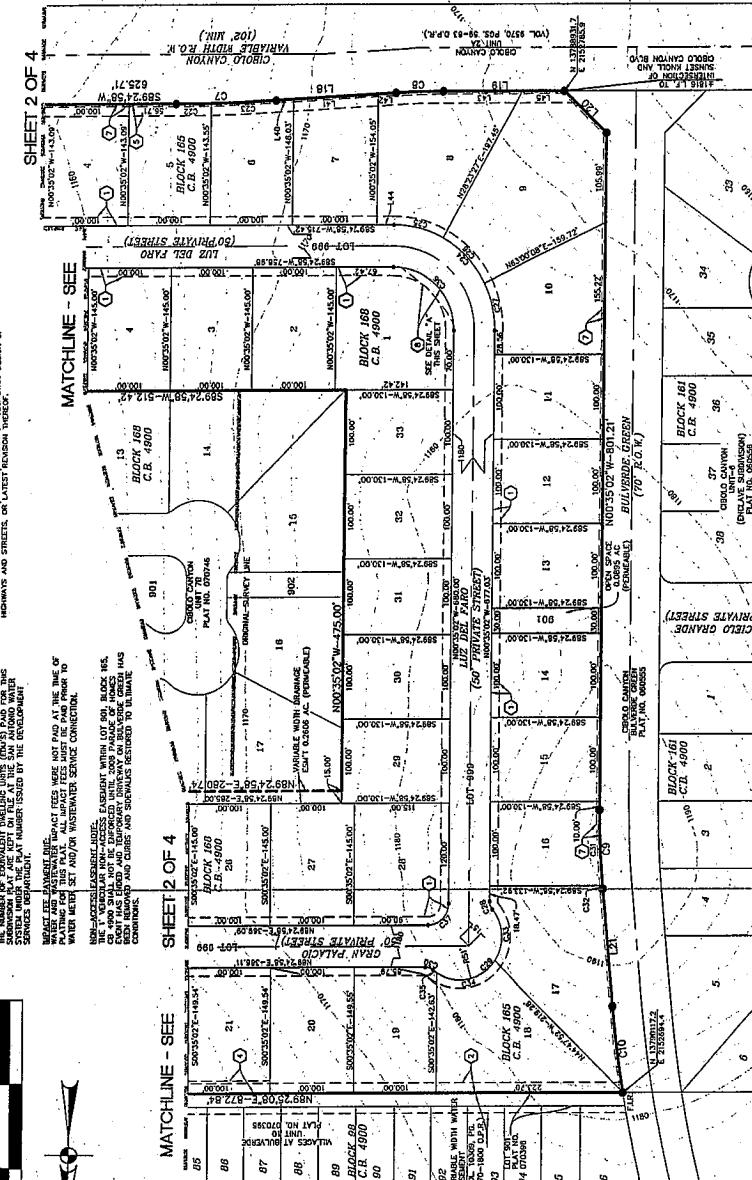
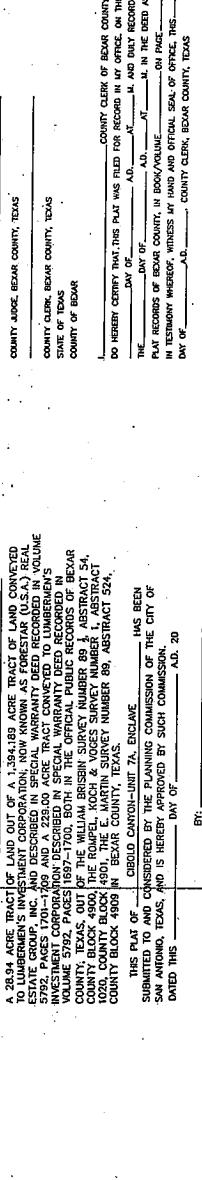
- - - EXISTING CONTROLS
- - - PROPOSED CONTROLS
- - - 100' YEAR FLOODPLAIN

NOT TO SCALE

FERGUSON MAP 48-1-22

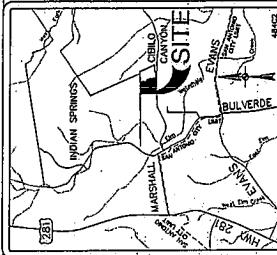
KEY NOTES

DEVELOPMENT SERVICES RECENVED

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

JOB NO. 3538-91

LEGEND



SCALE : 1"=100'

0' 100' 200' 300'

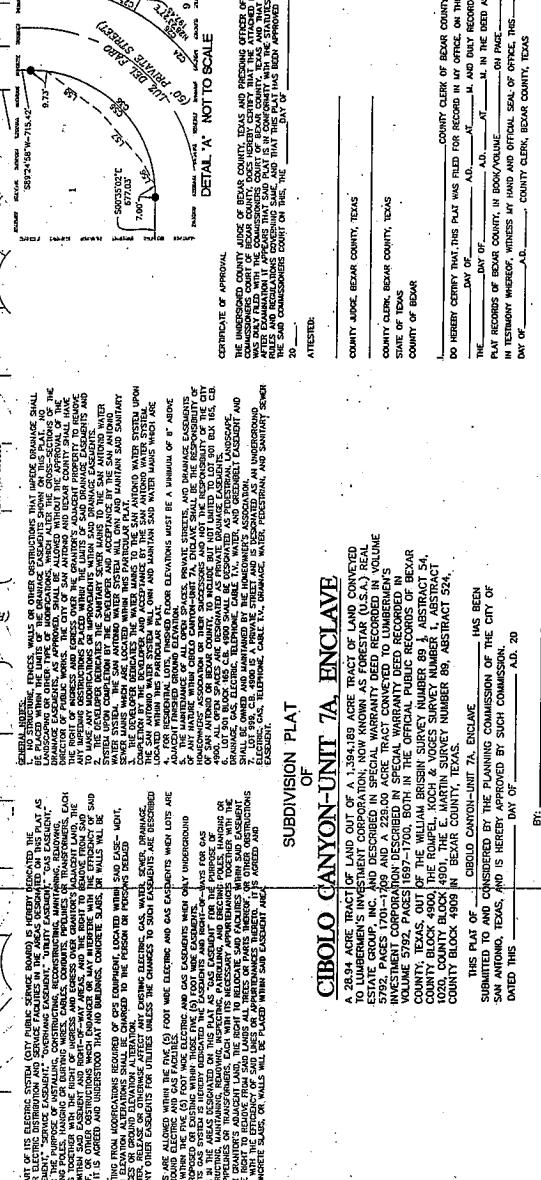
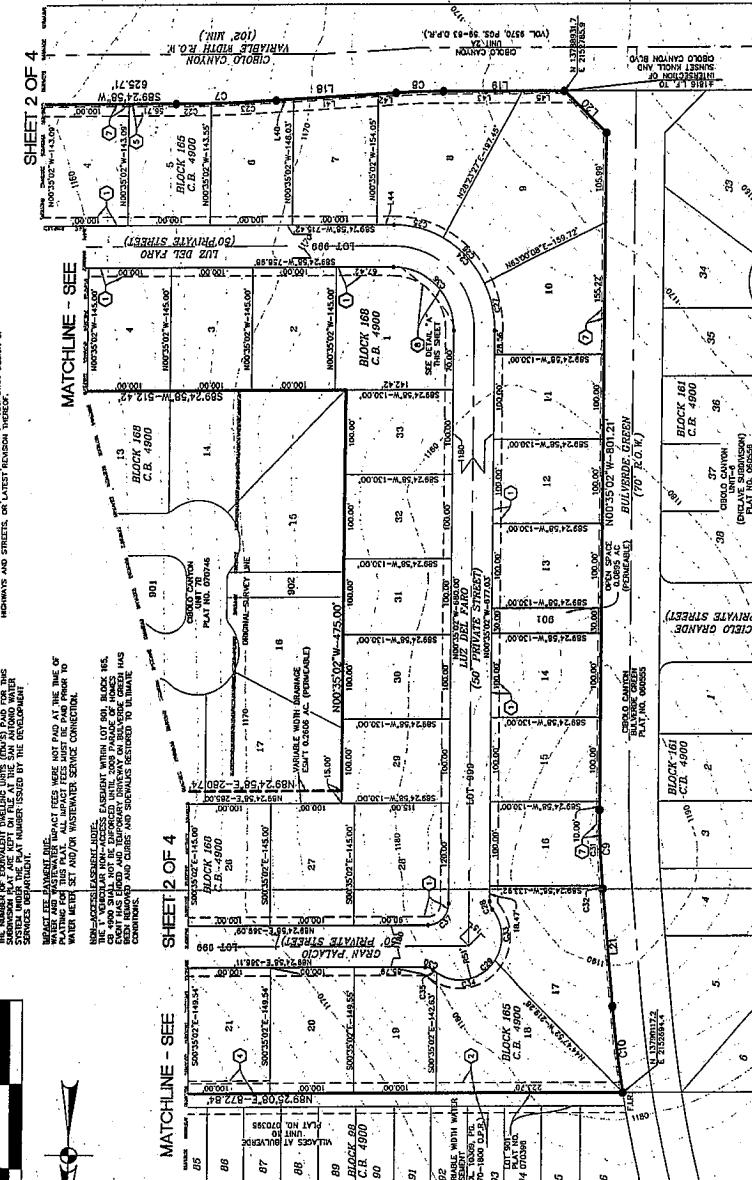
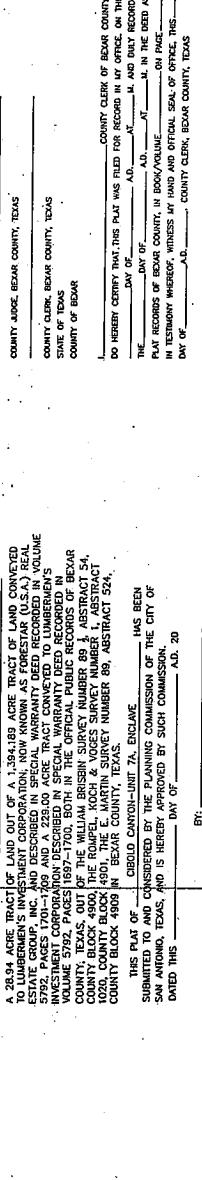
- - - EXISTING CONTROLS
- - - PROPOSED CONTROLS
- - - 100' YEAR FLOODPLAIN

NOT TO SCALE

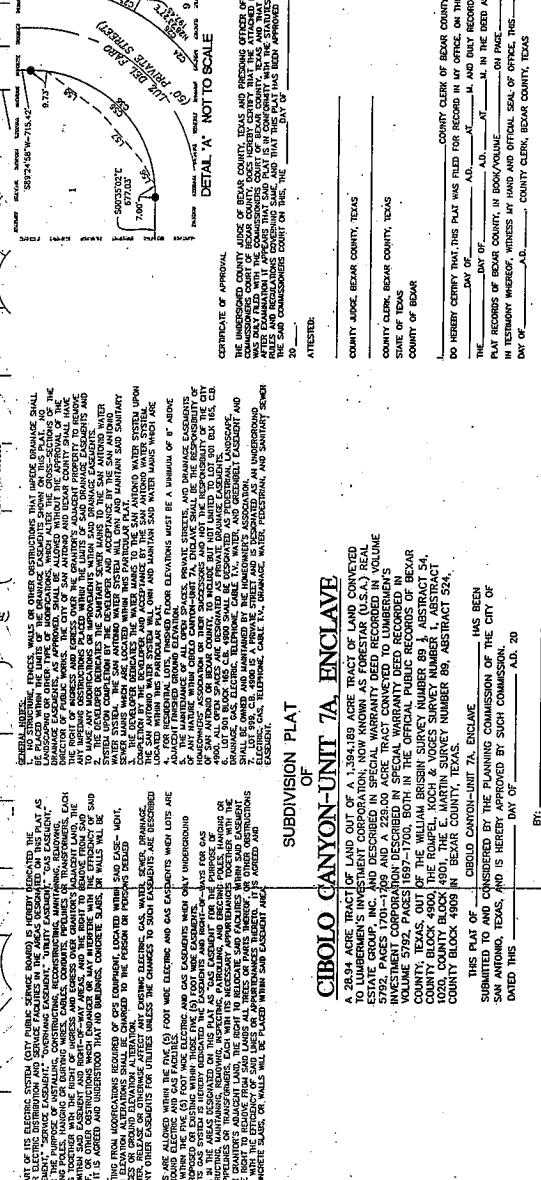
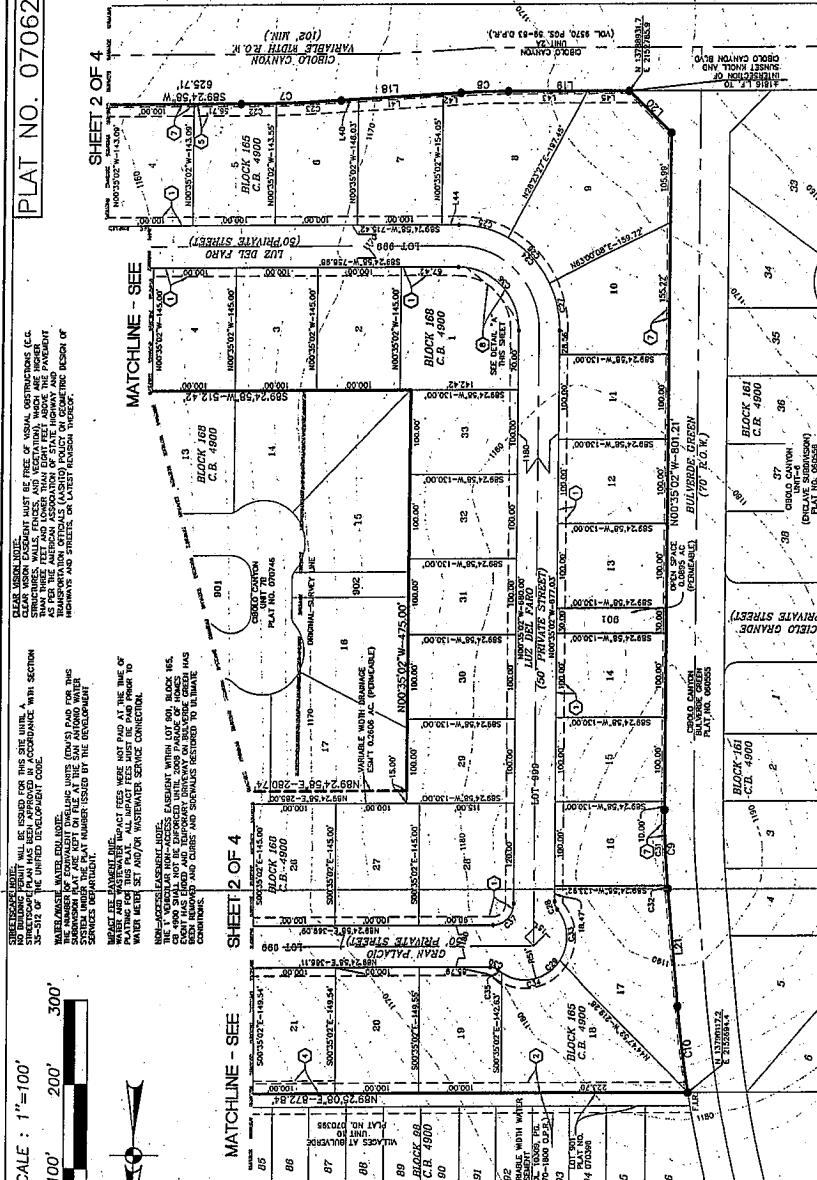
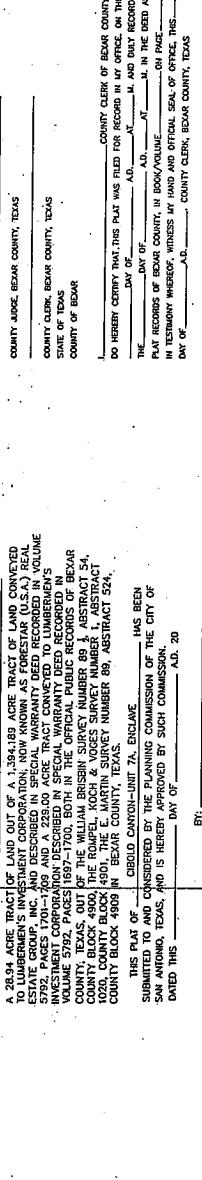
FERGUSON MAP 48-1-22

KEY NOTES

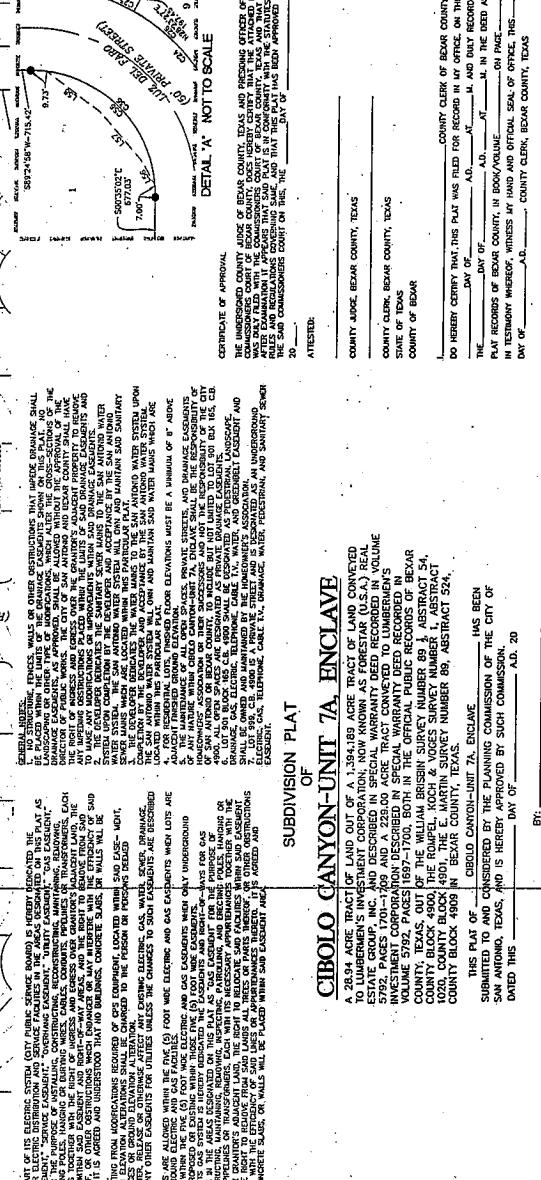
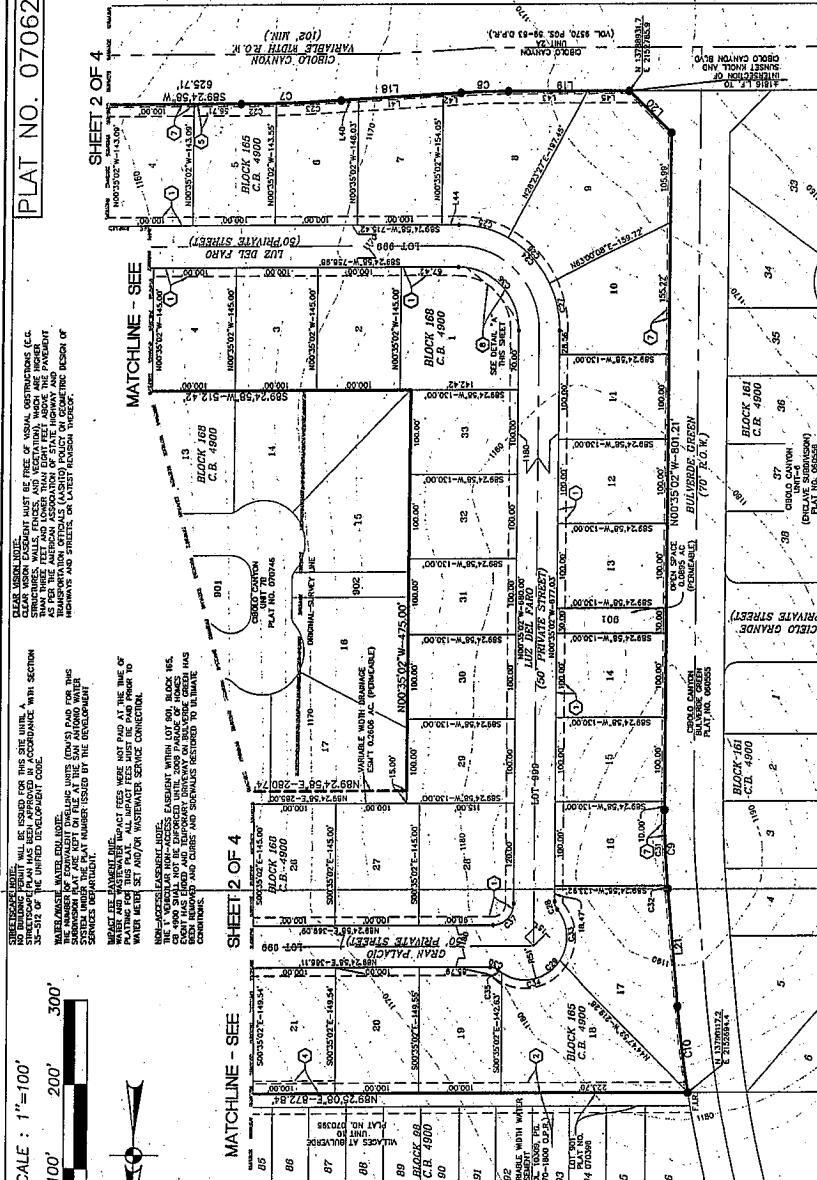
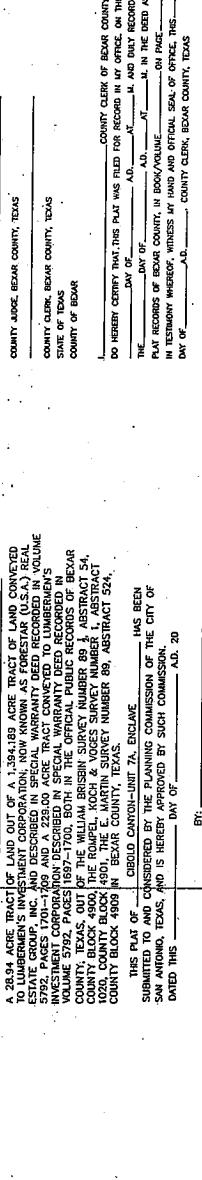
DEVELOPMENT SERVICES RECENVED

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

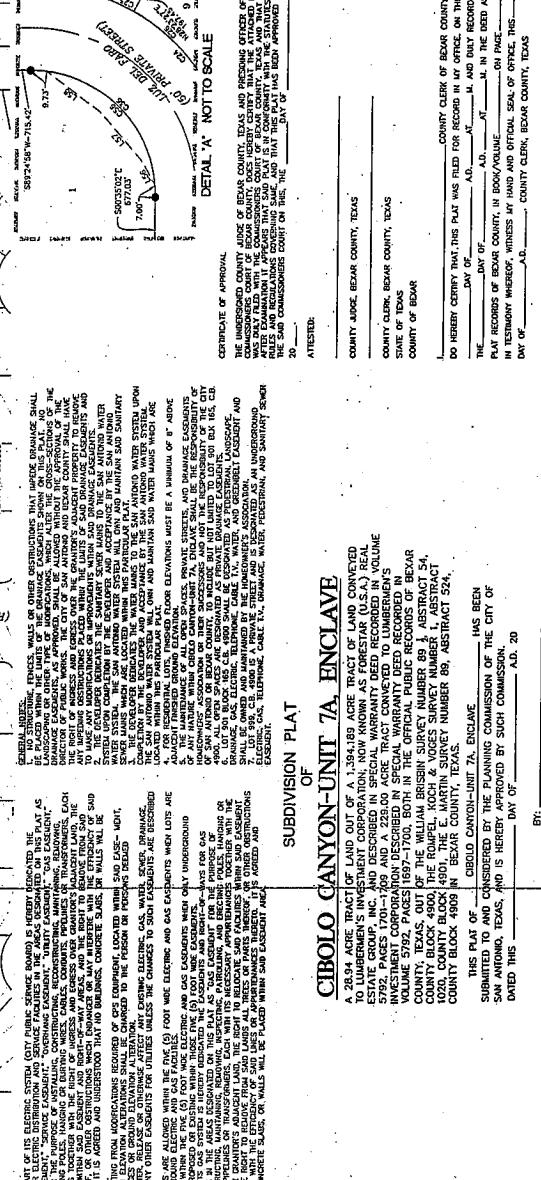
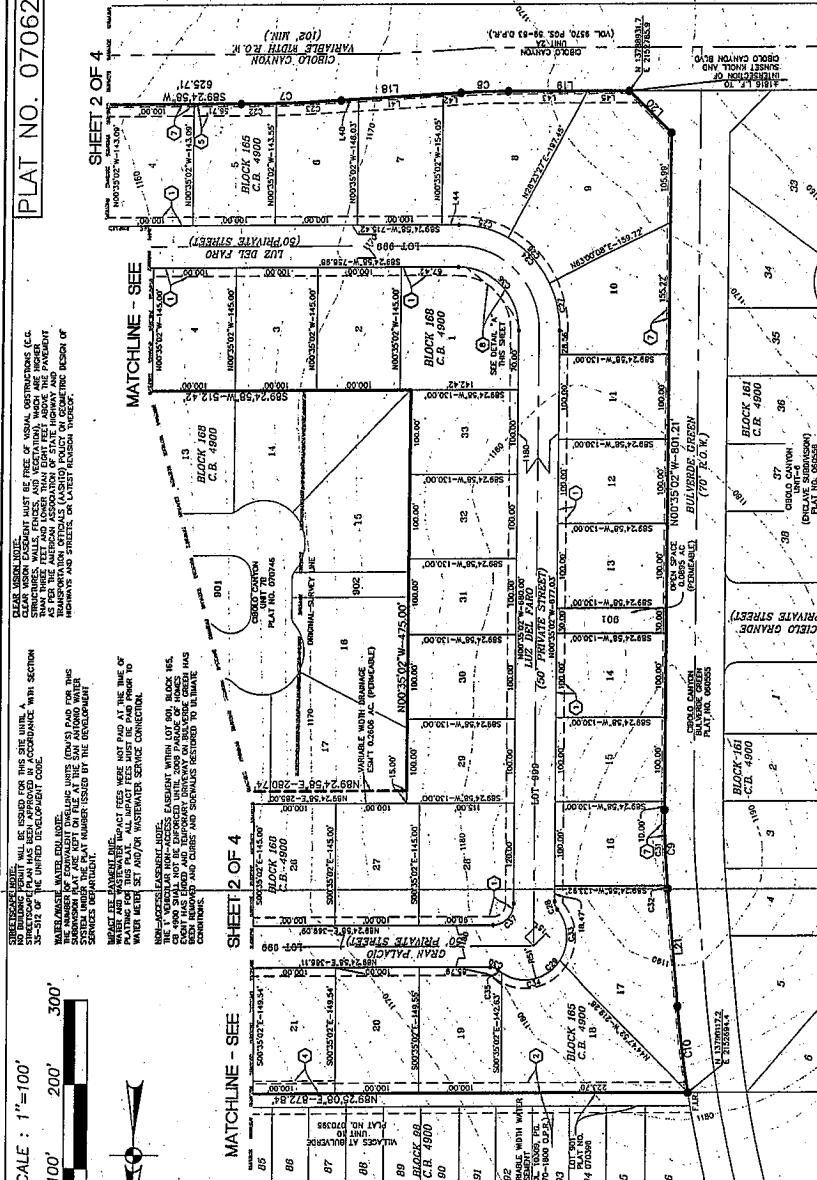
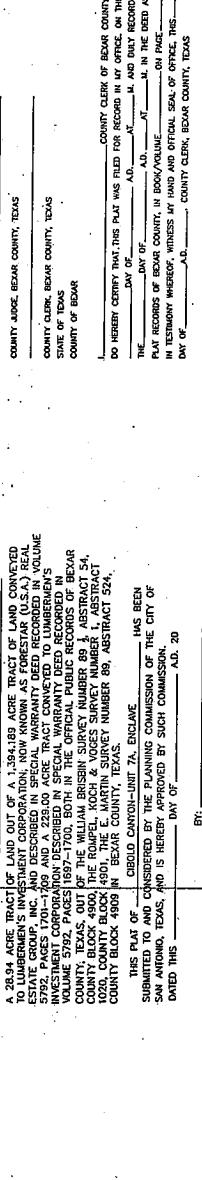
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

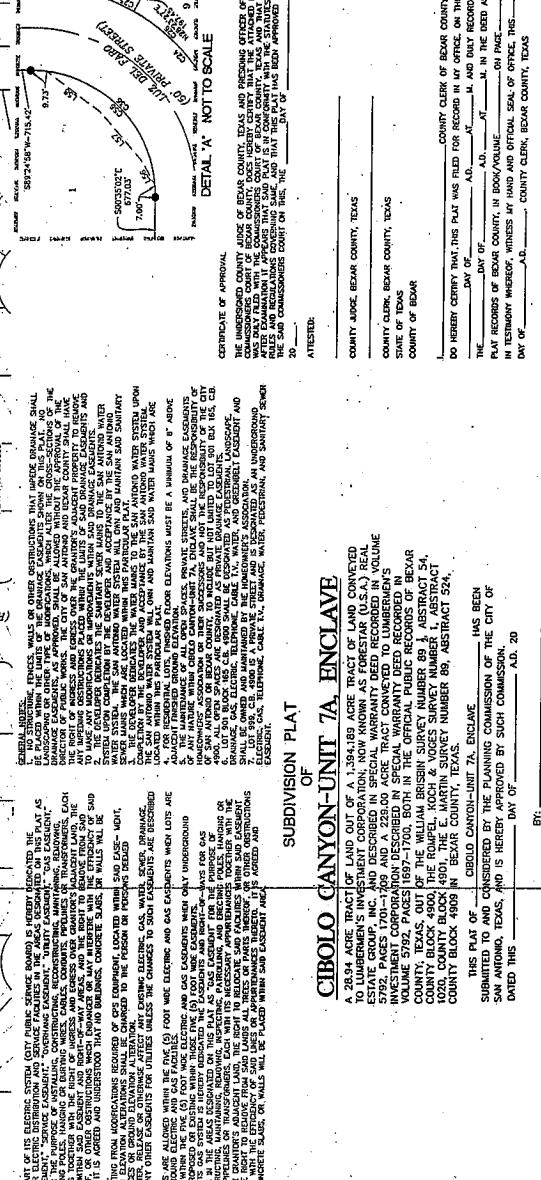
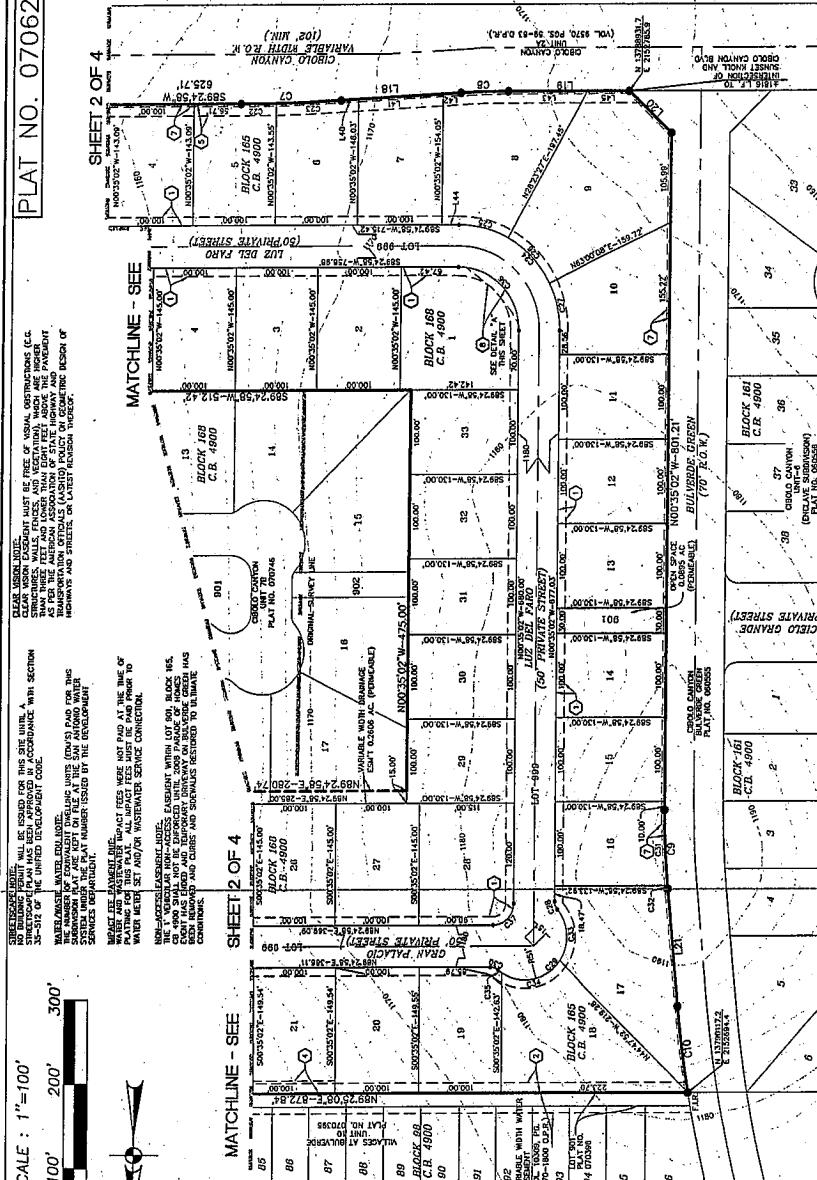
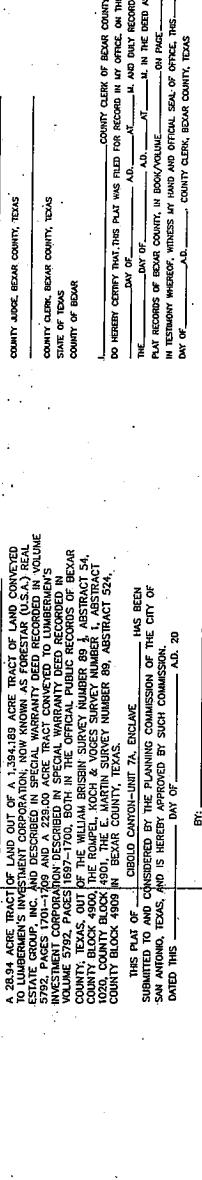
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

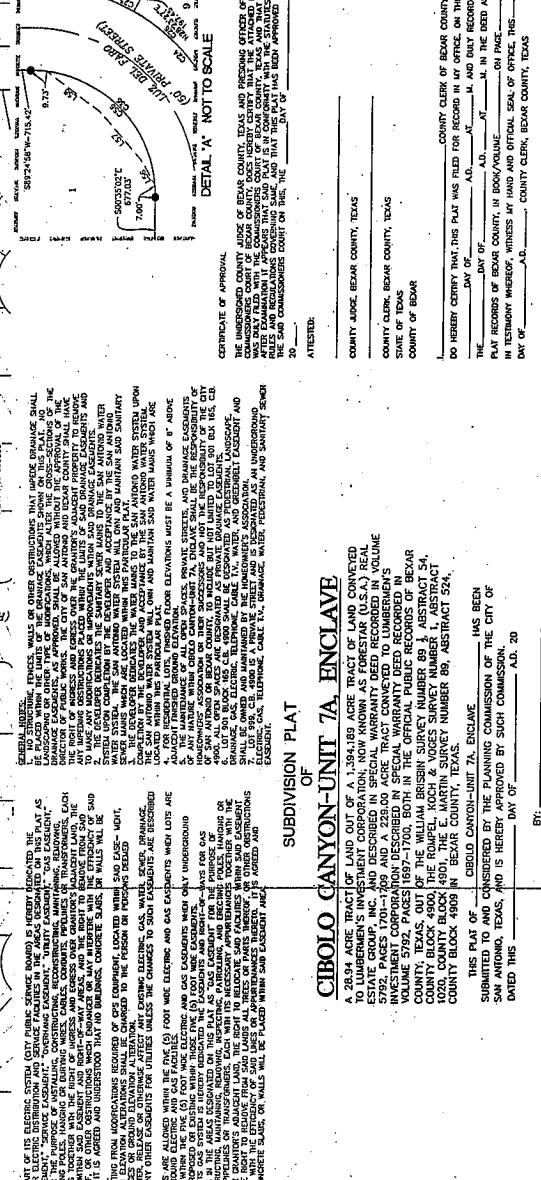
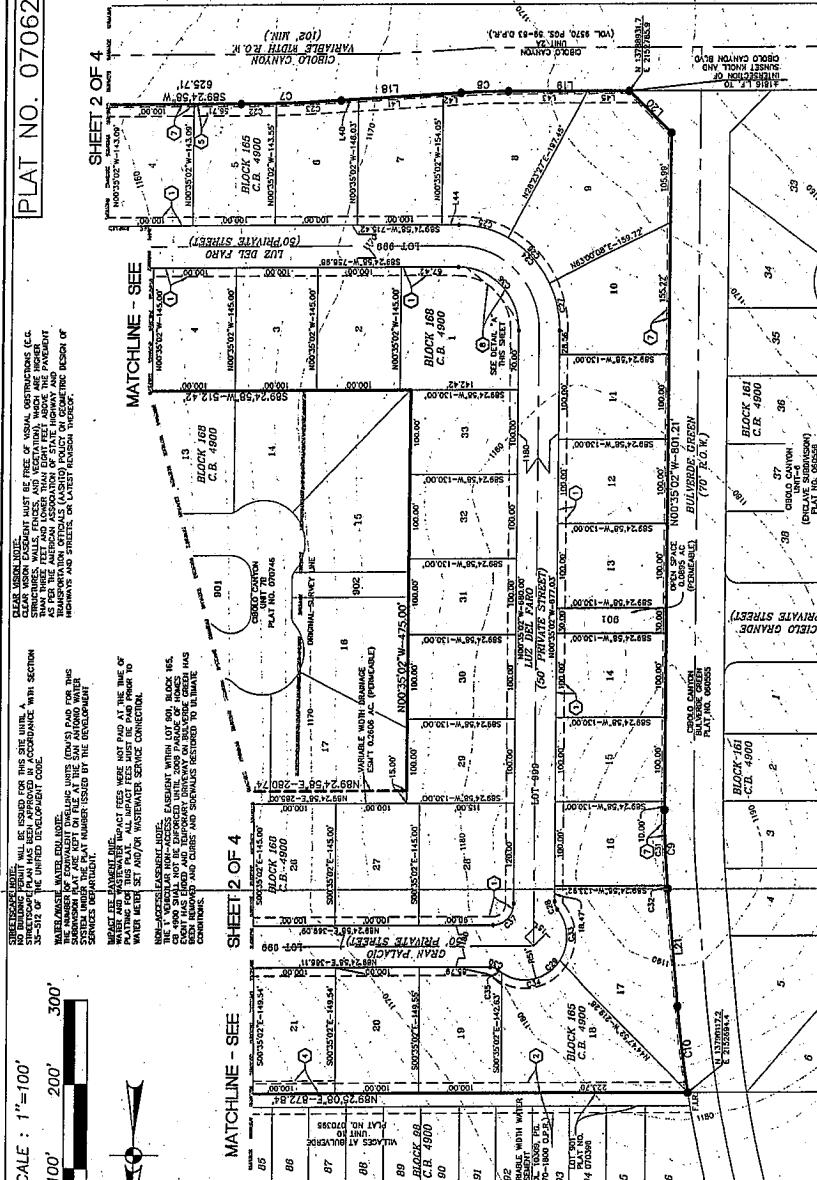
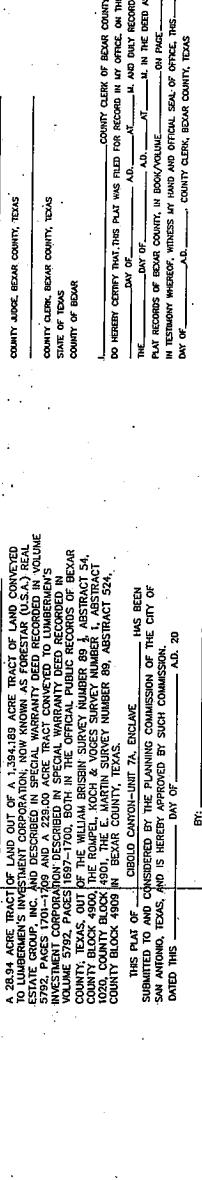
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

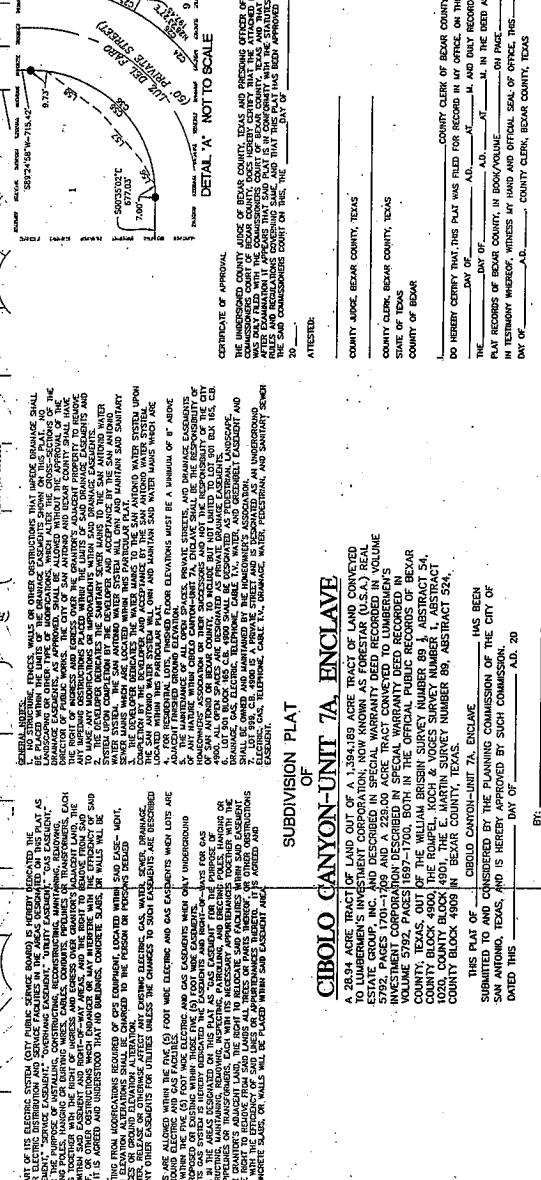
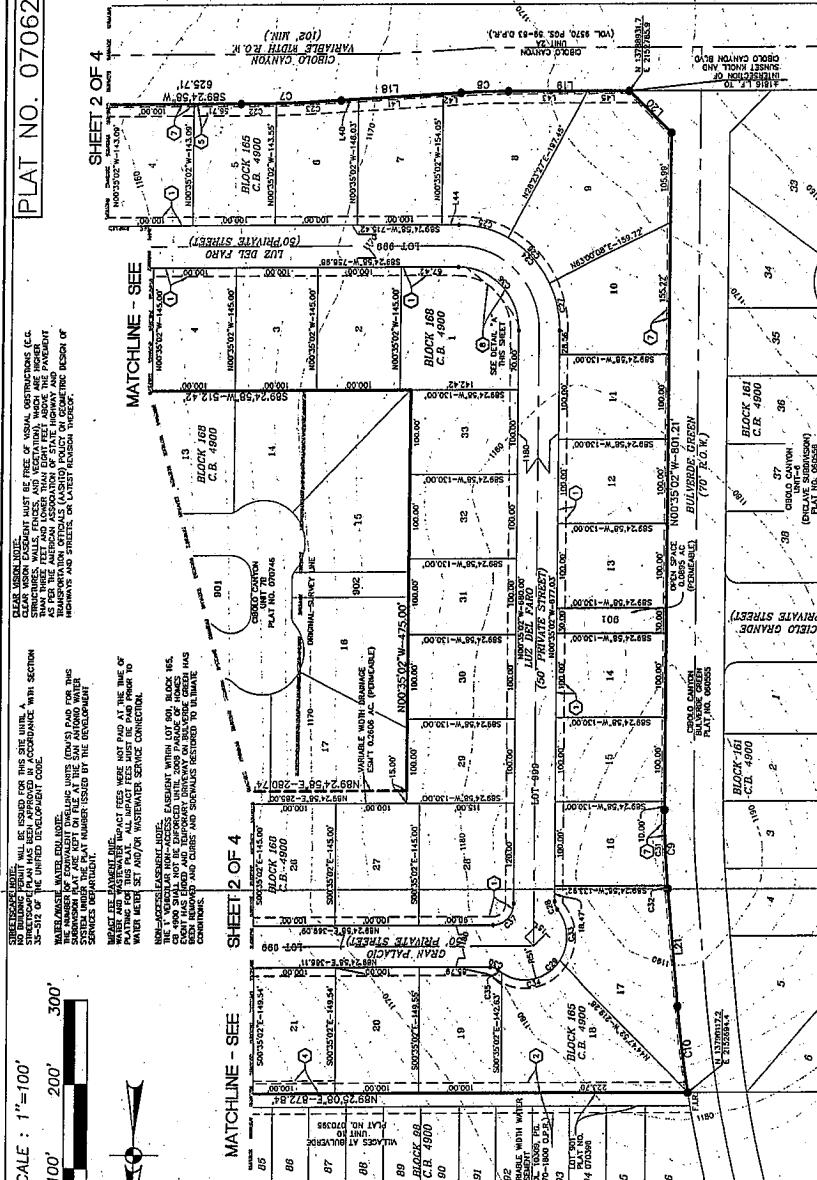
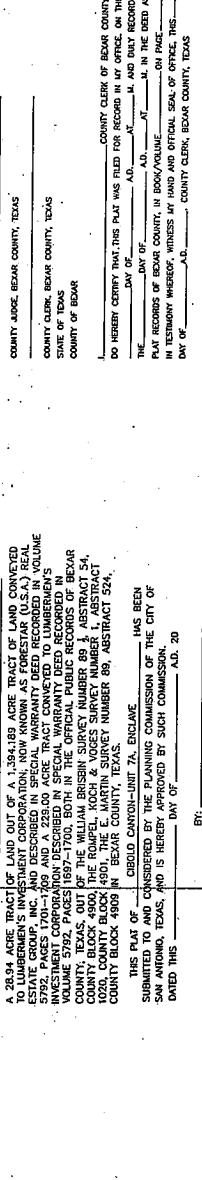
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

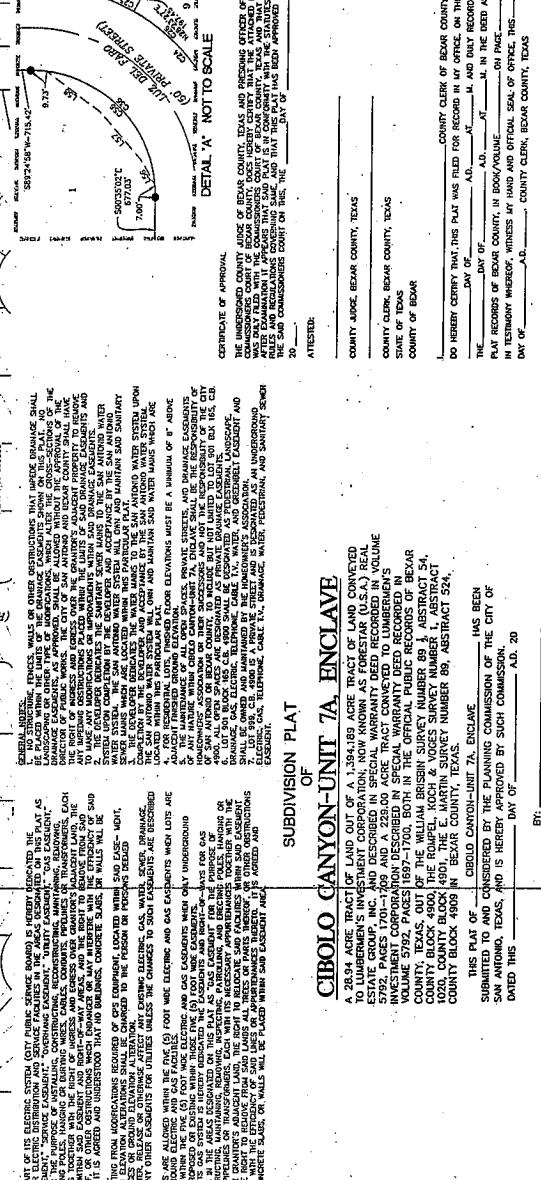
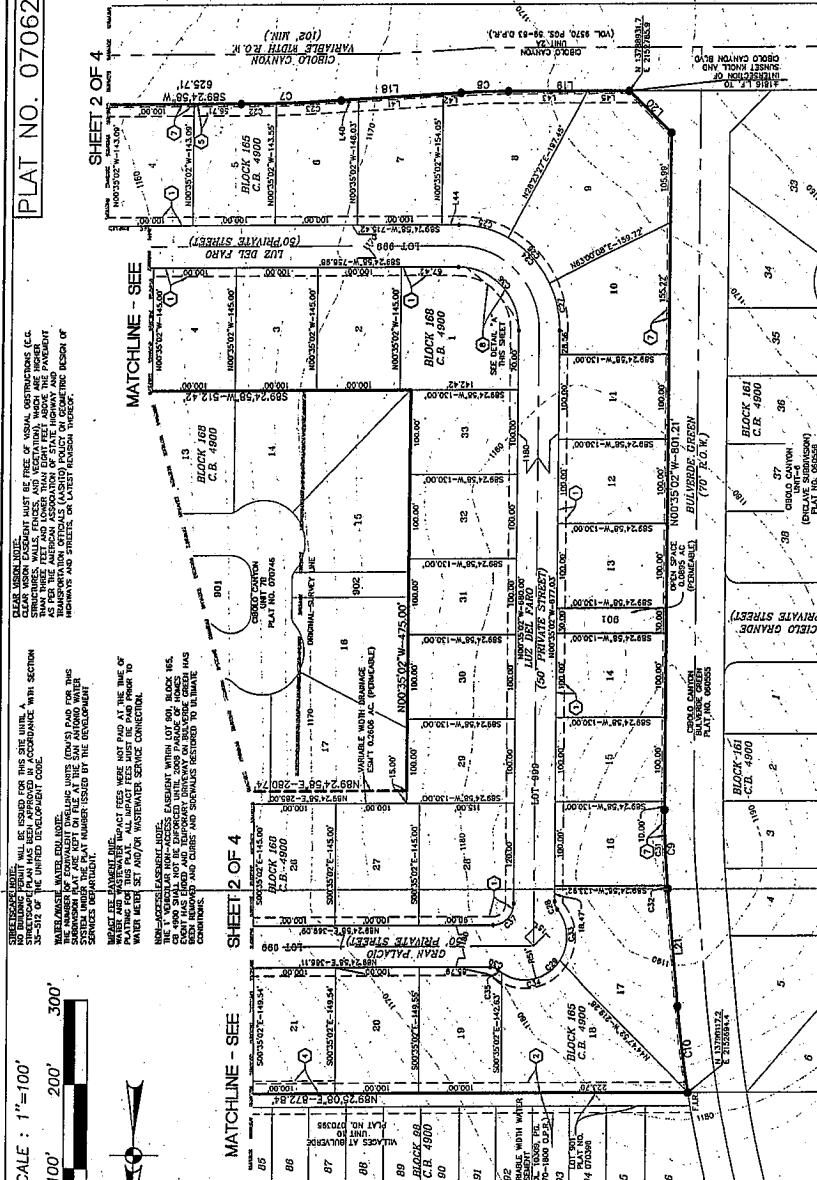
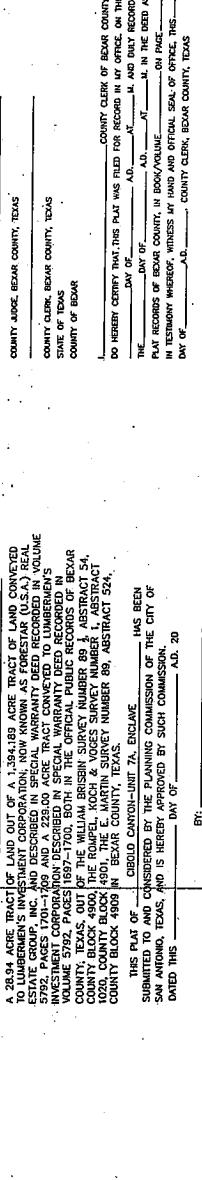
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

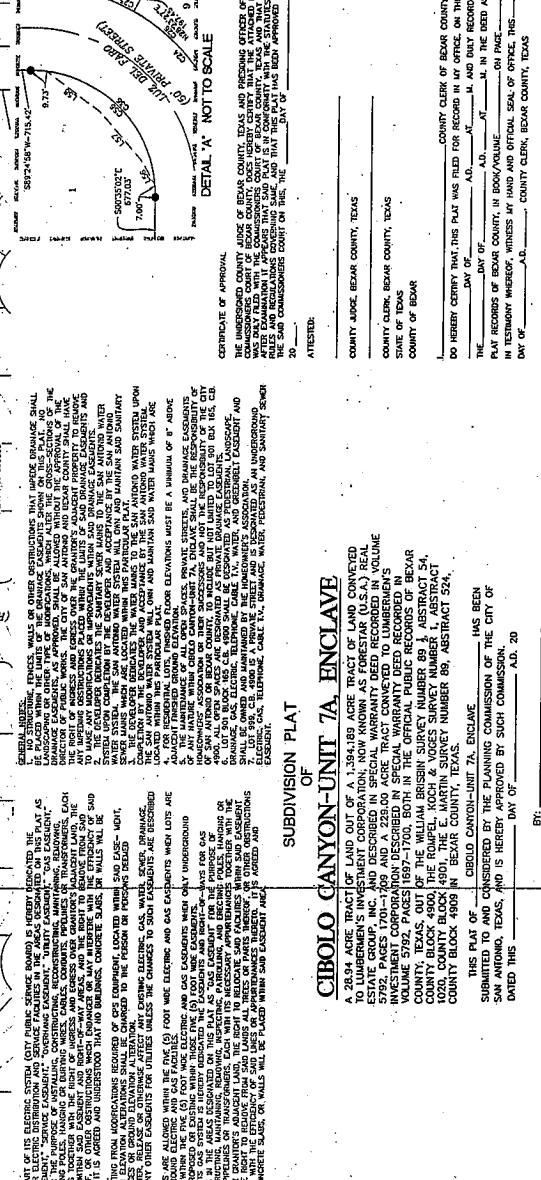
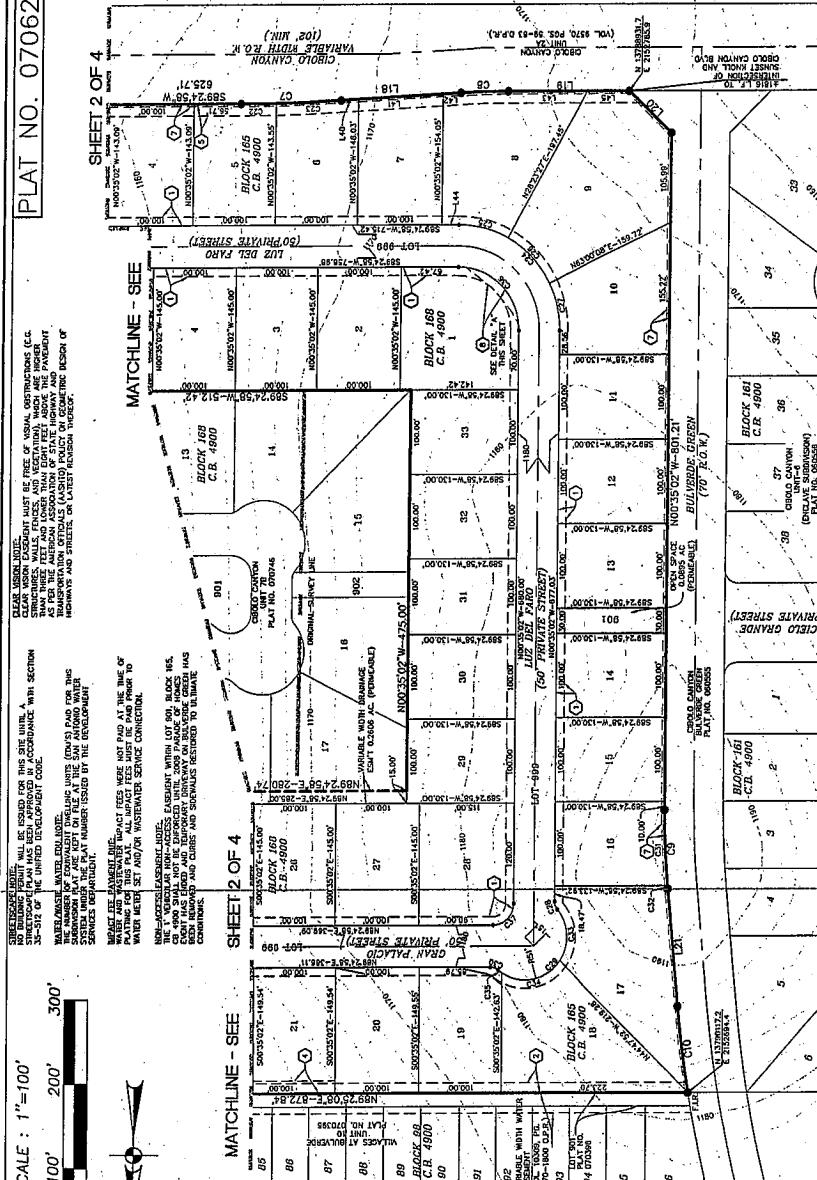
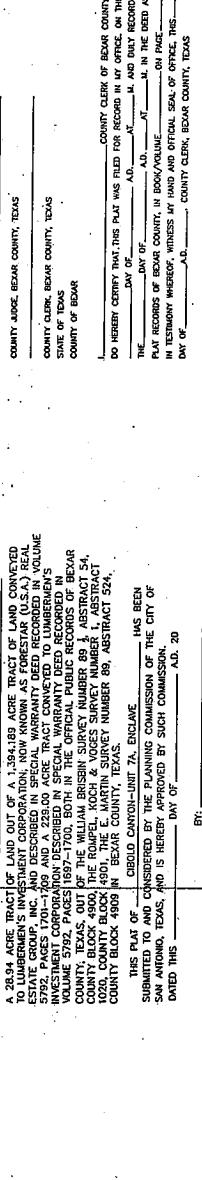
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

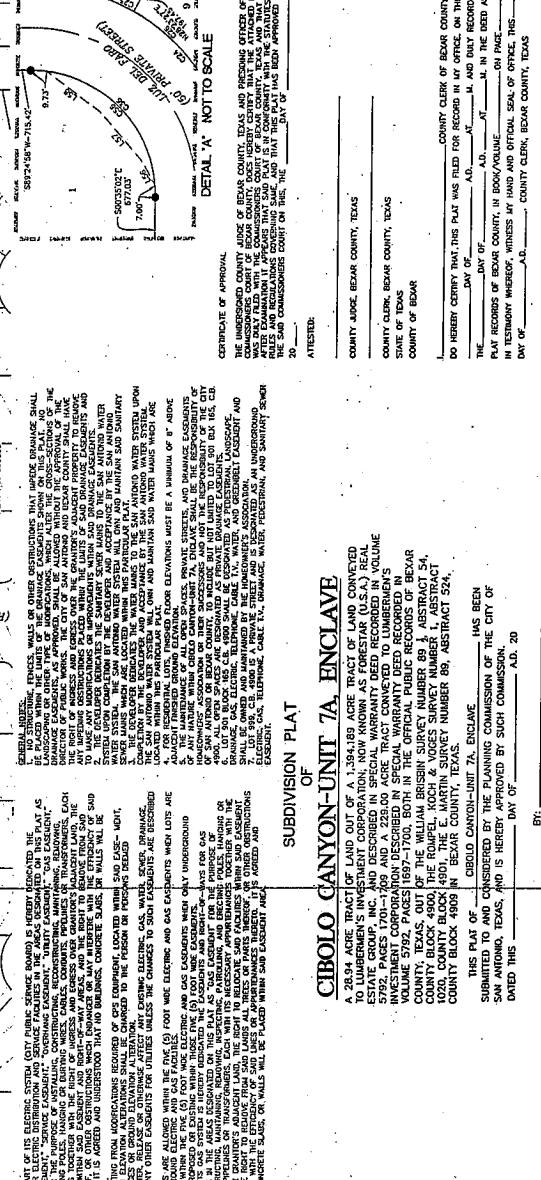
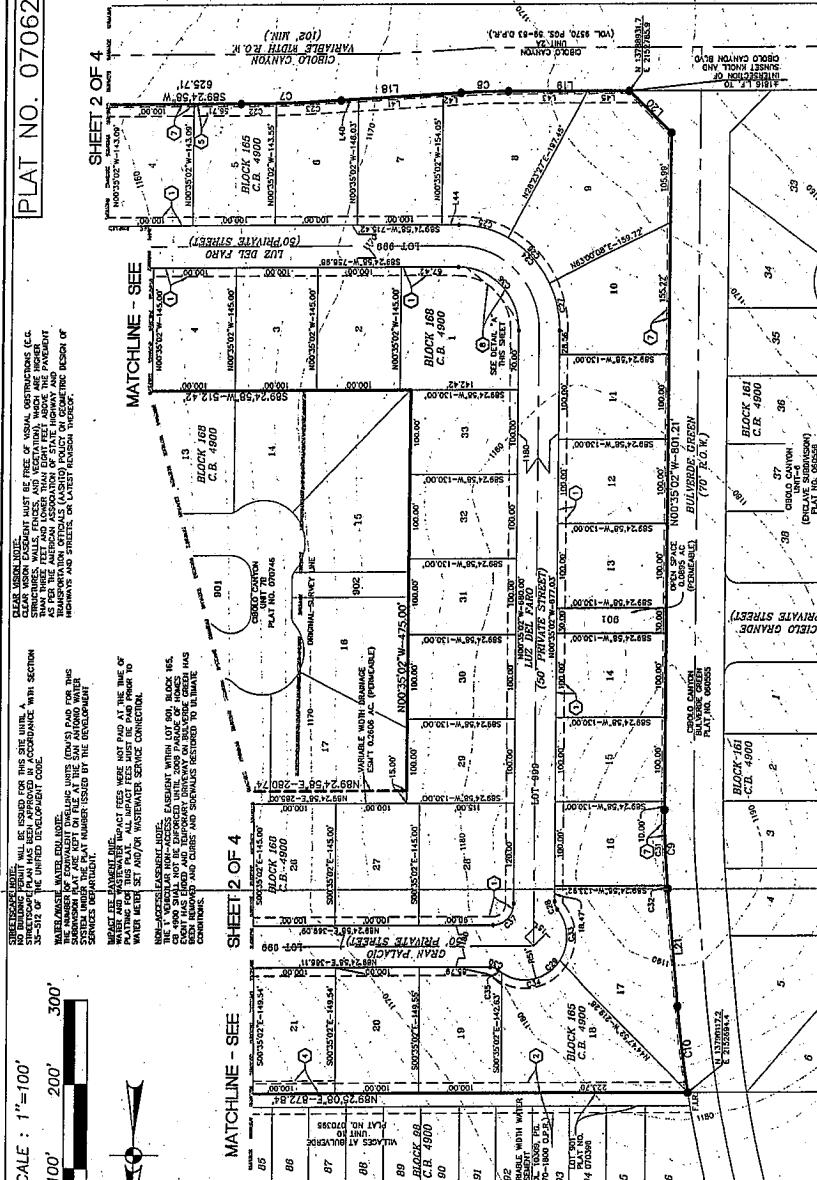
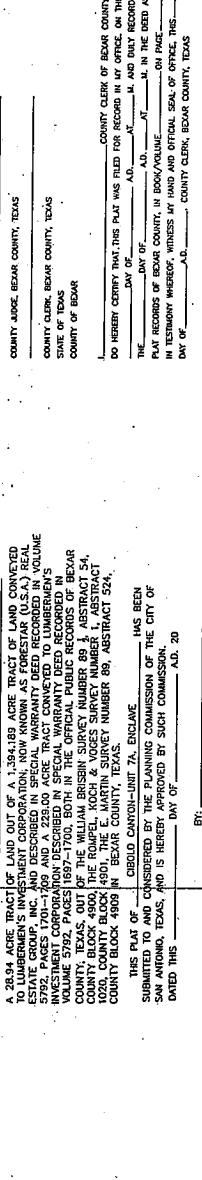
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

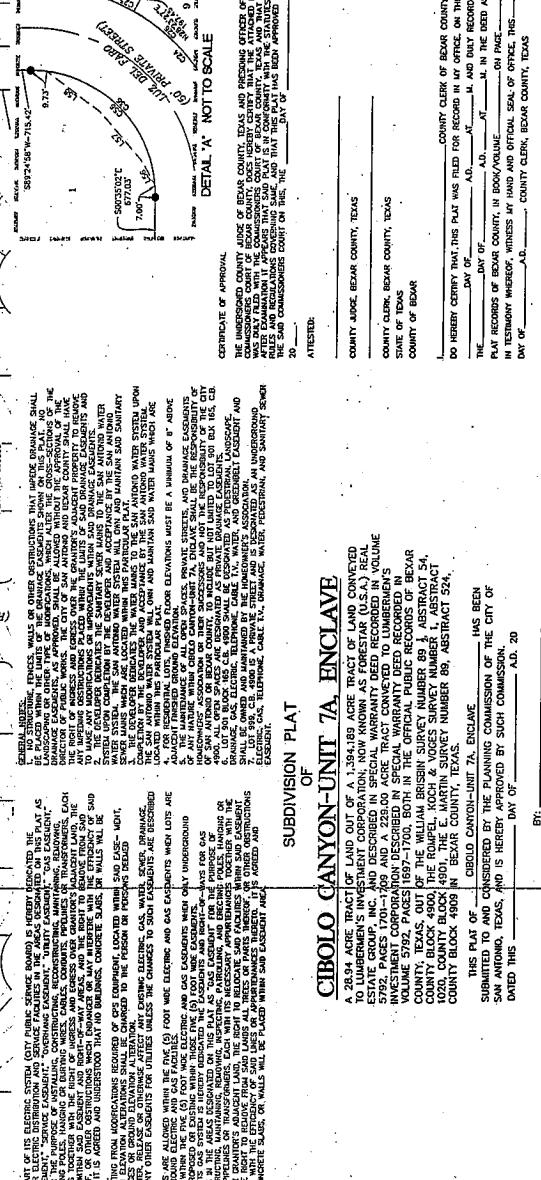
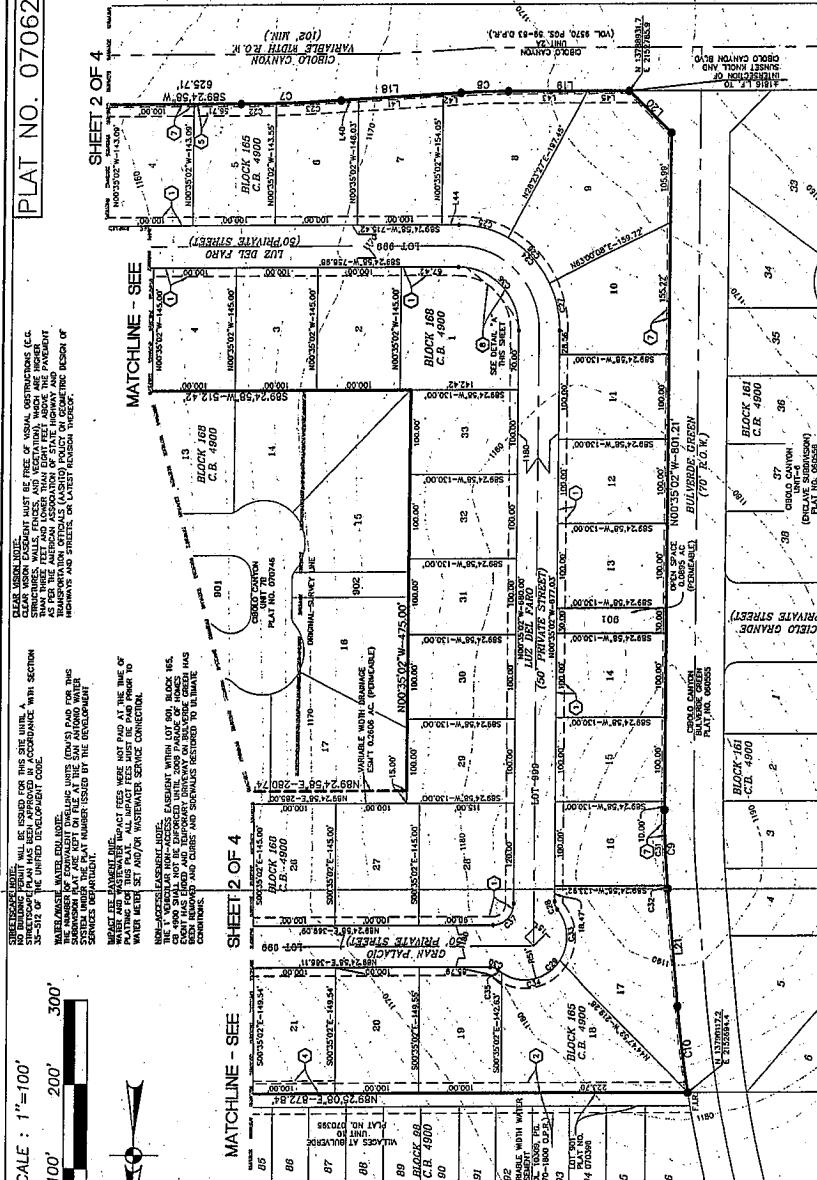
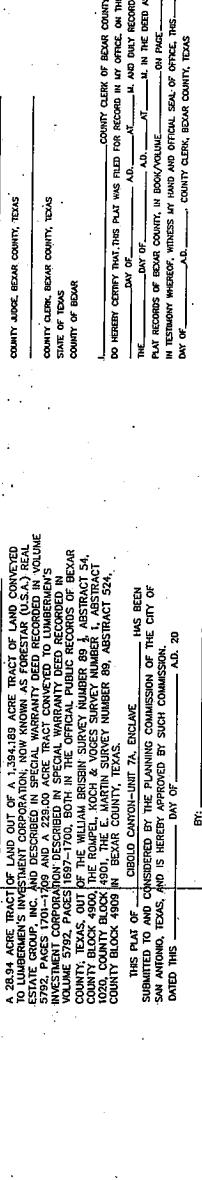
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

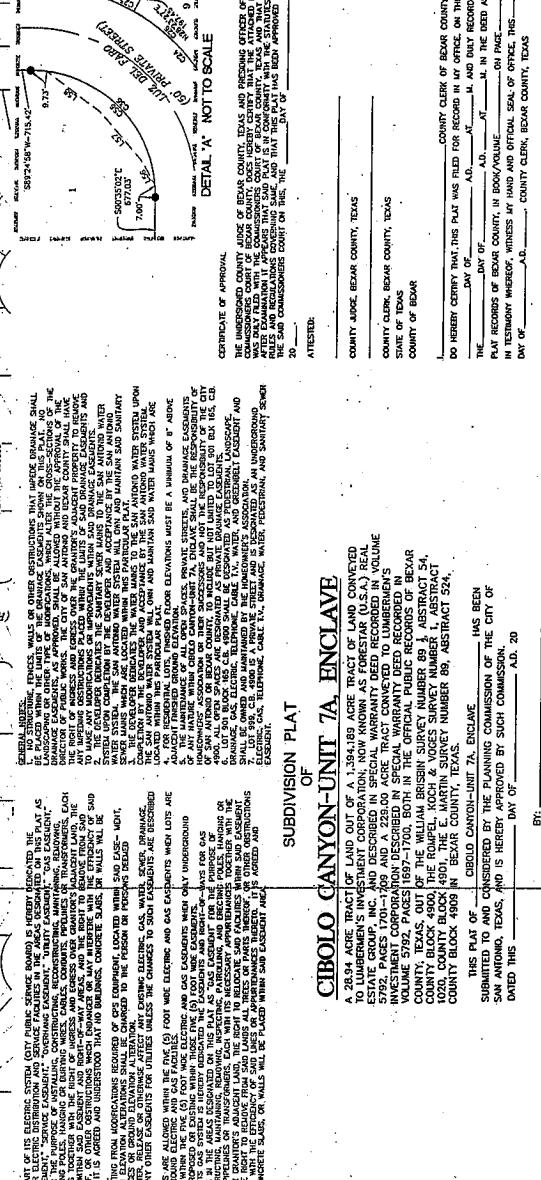
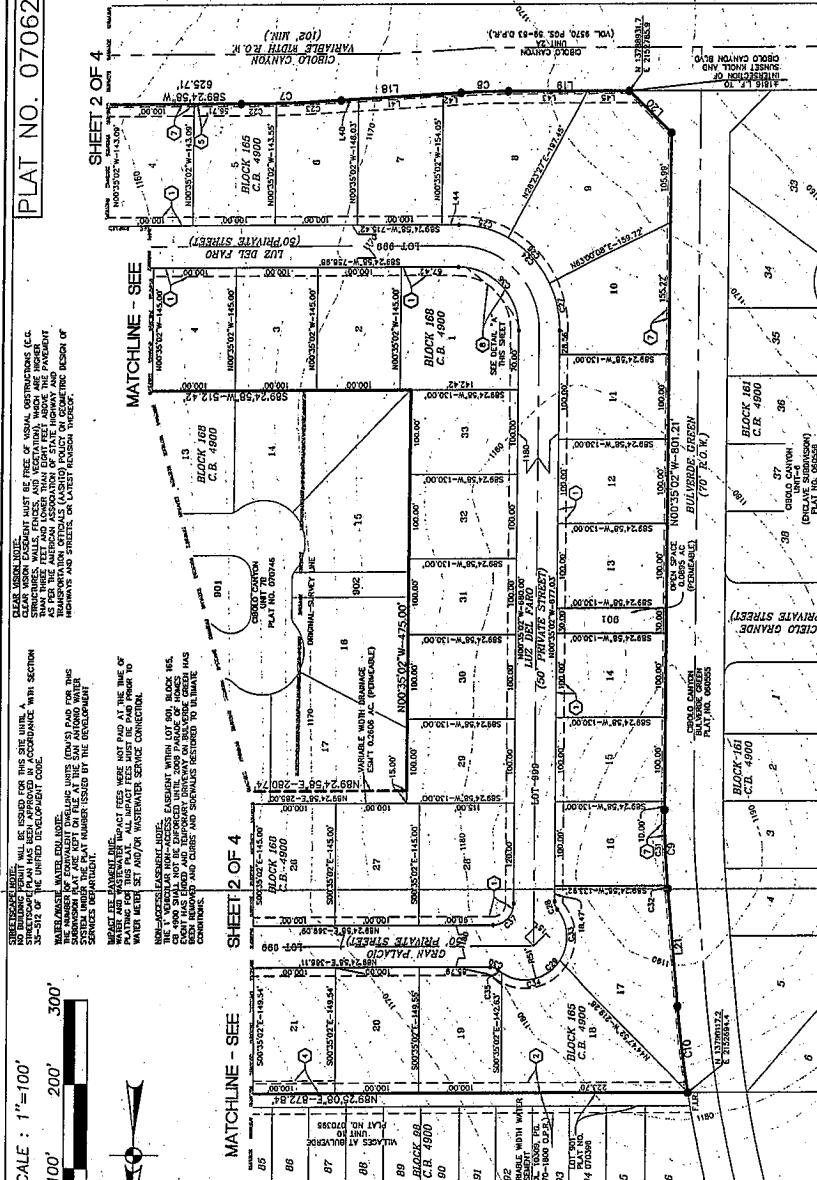
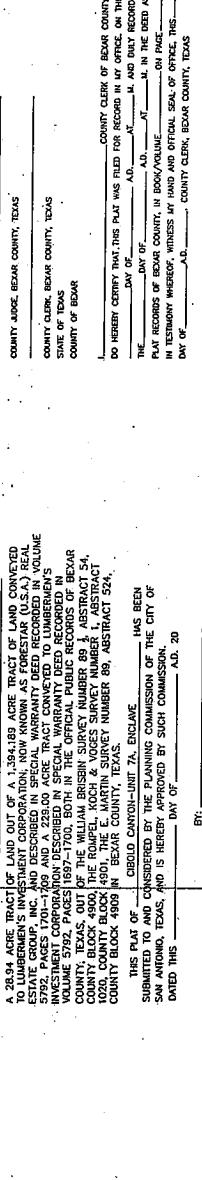
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

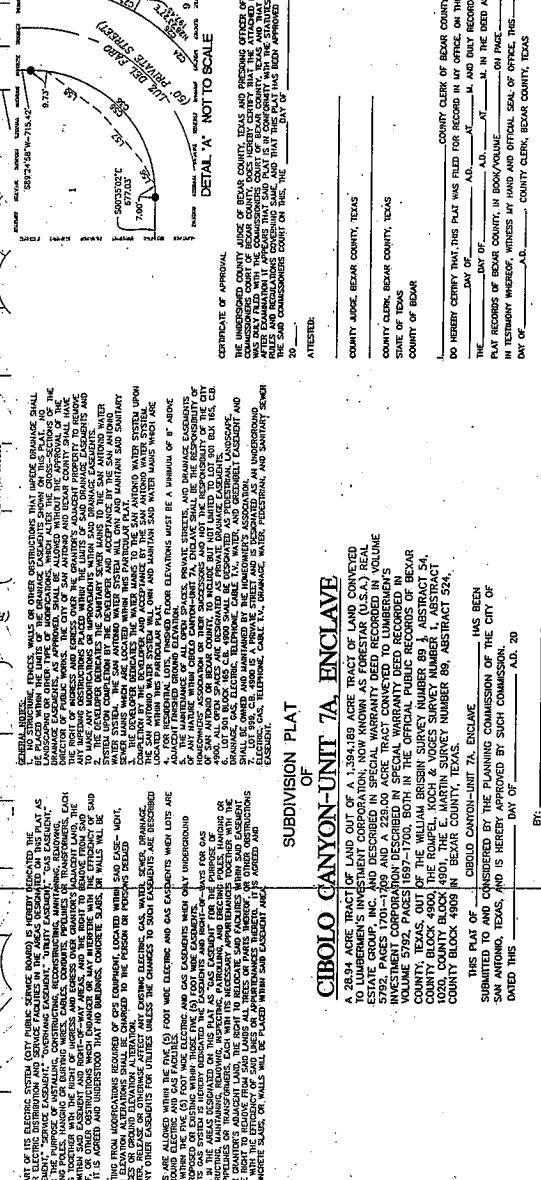
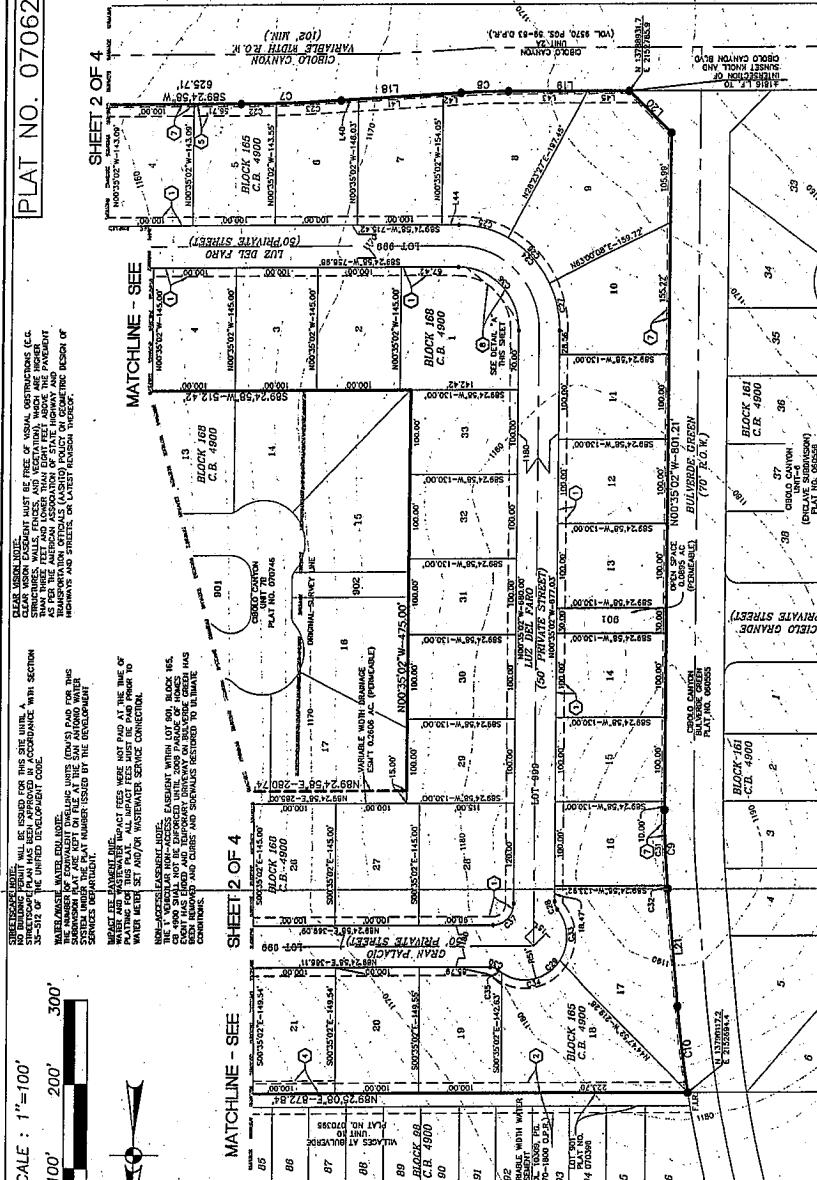
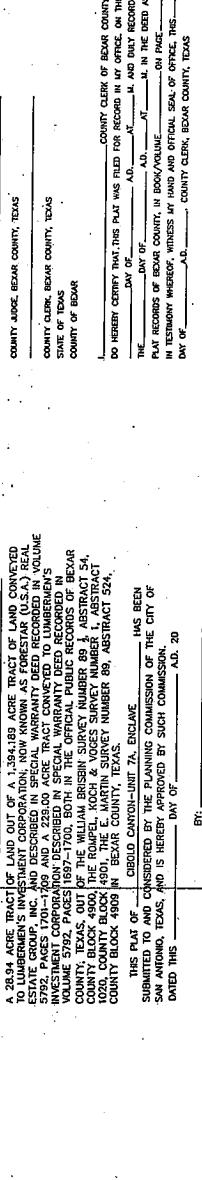
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

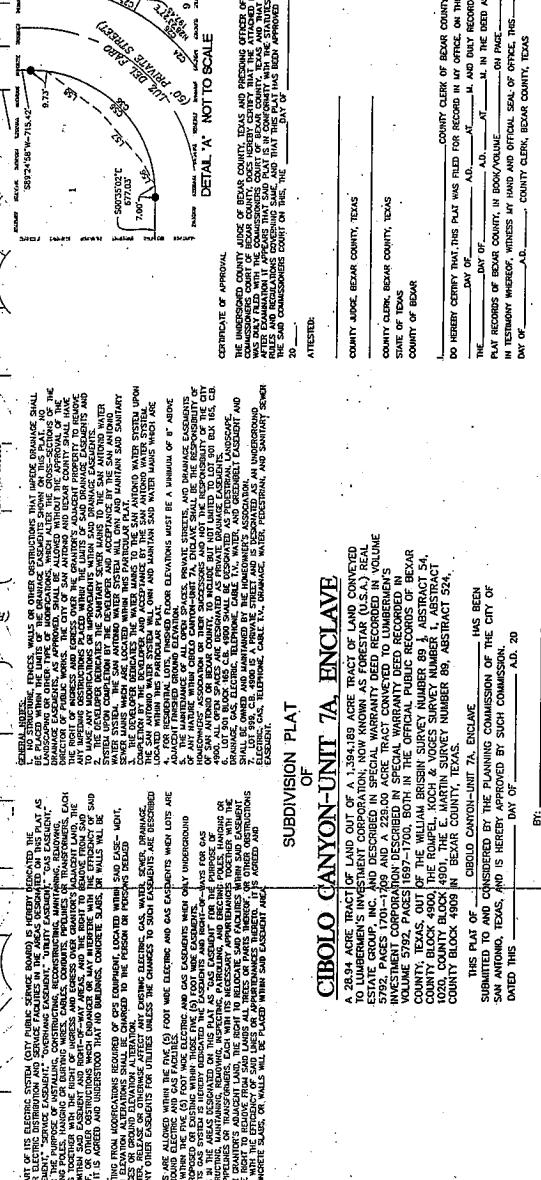
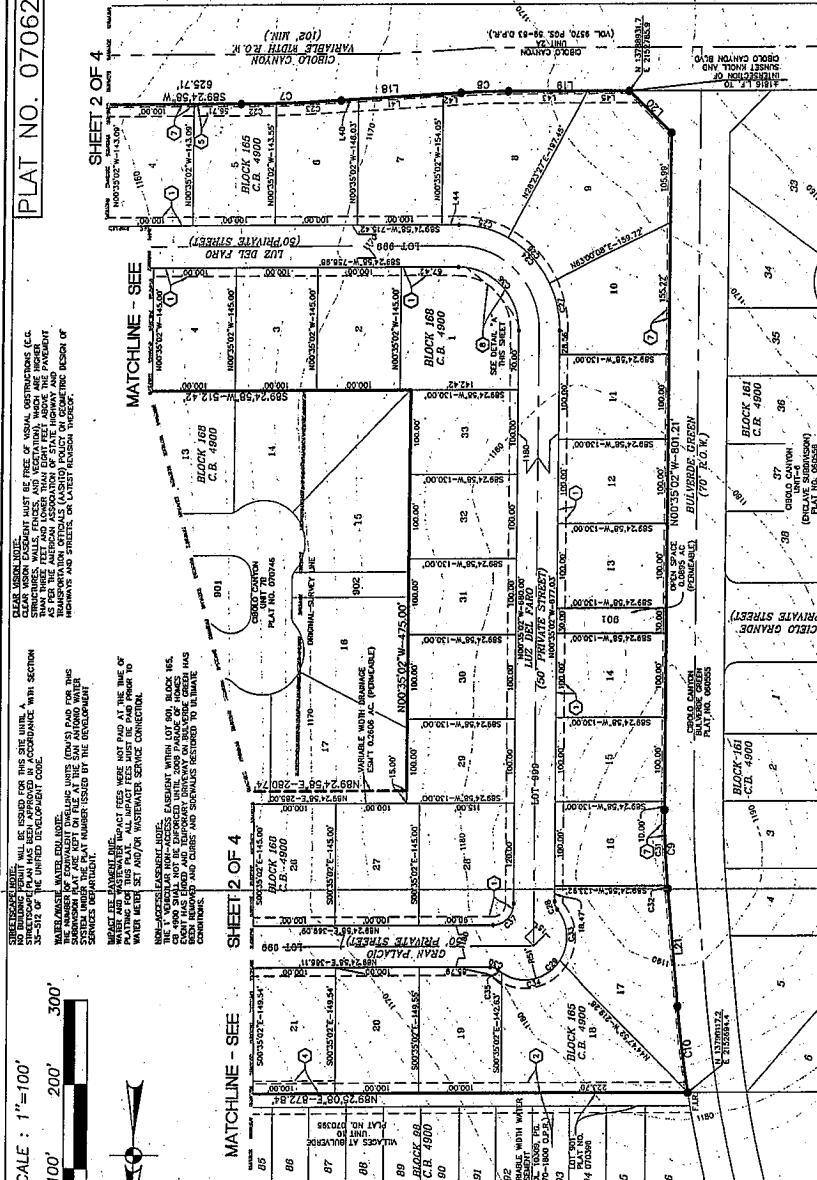
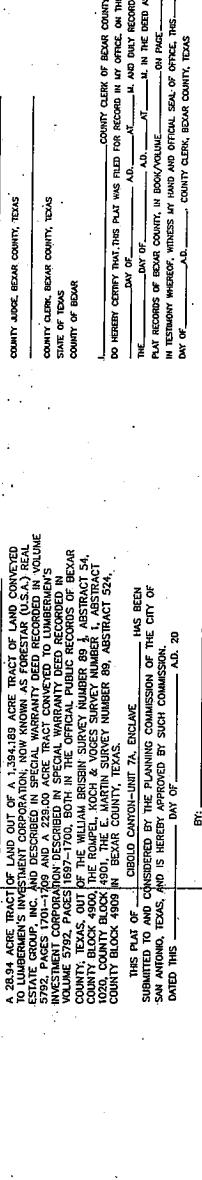
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

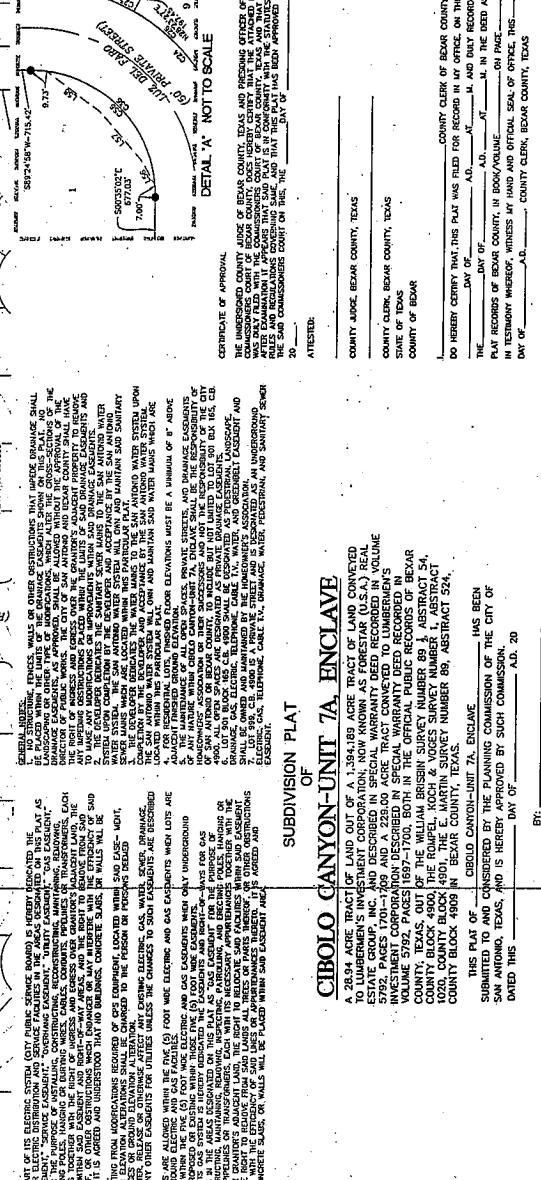
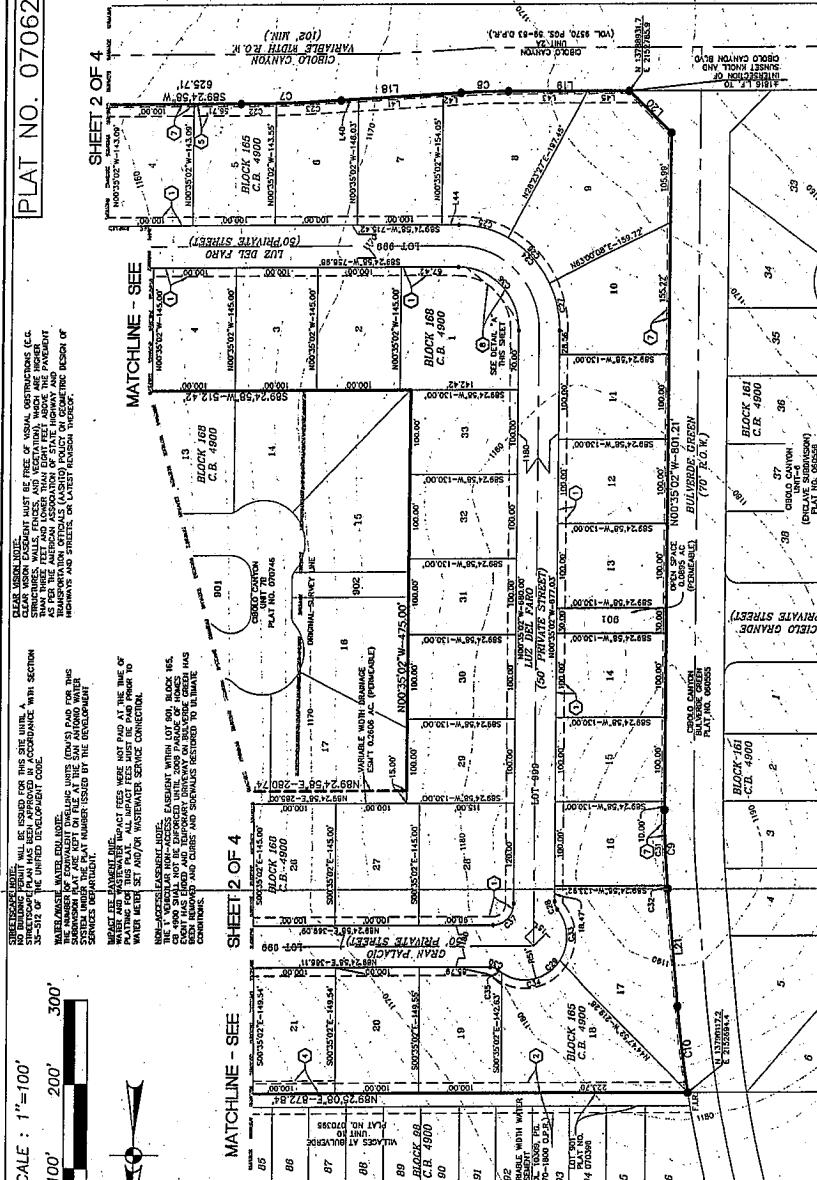
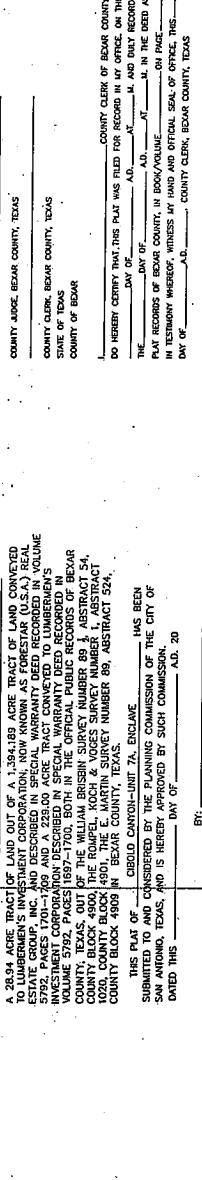
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

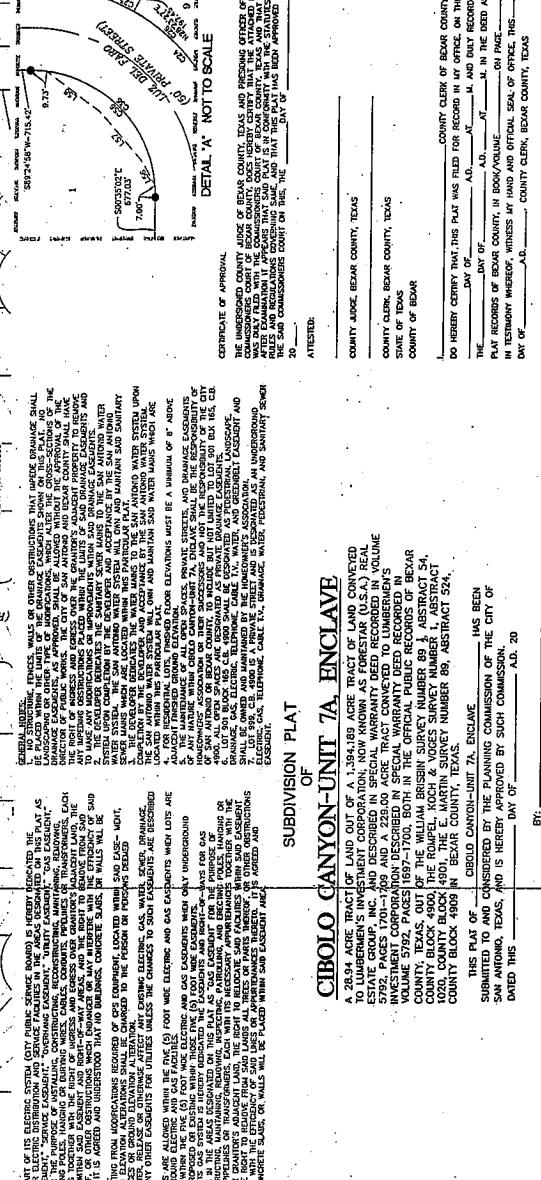
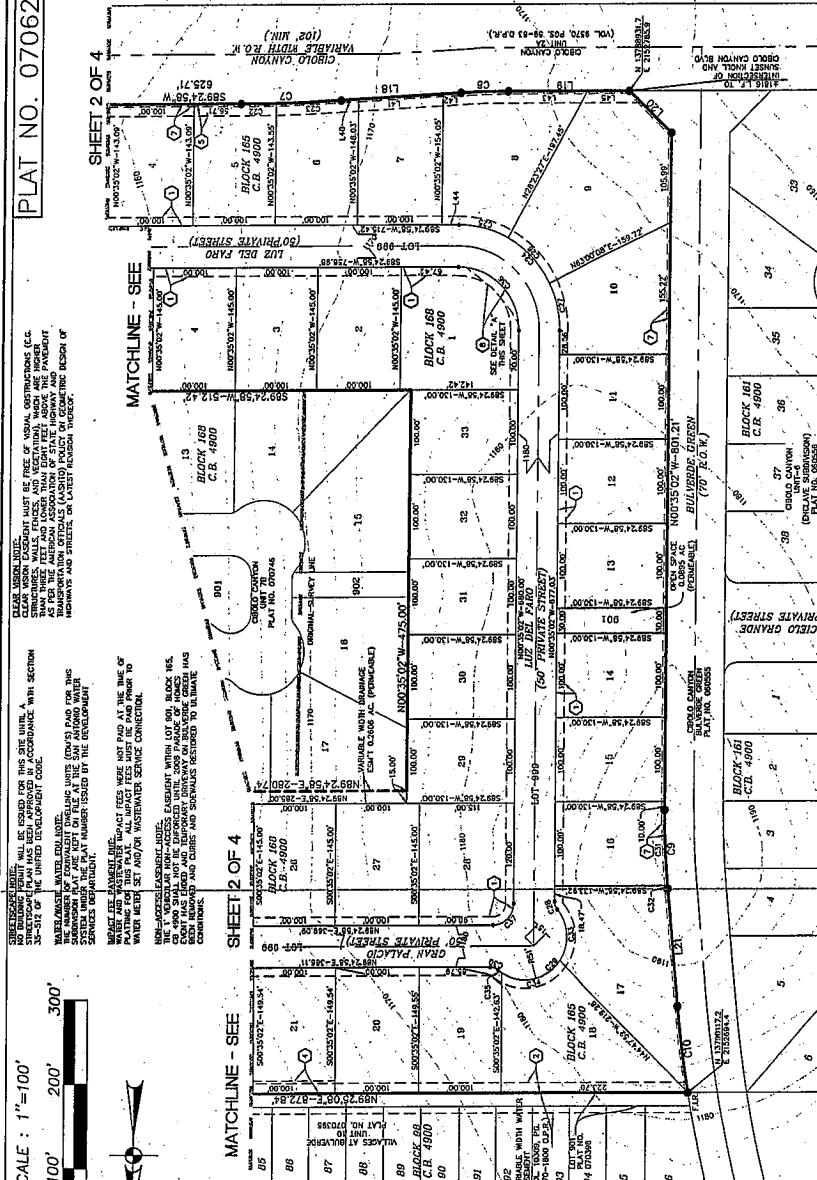
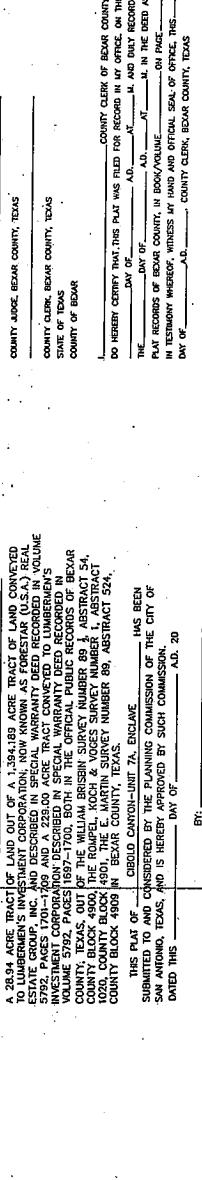
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

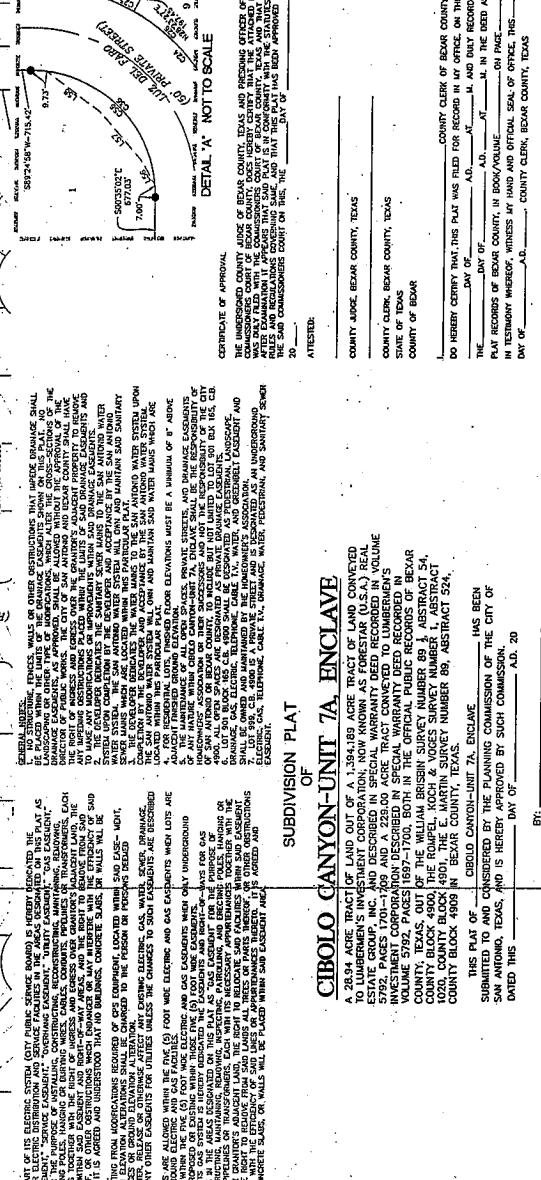
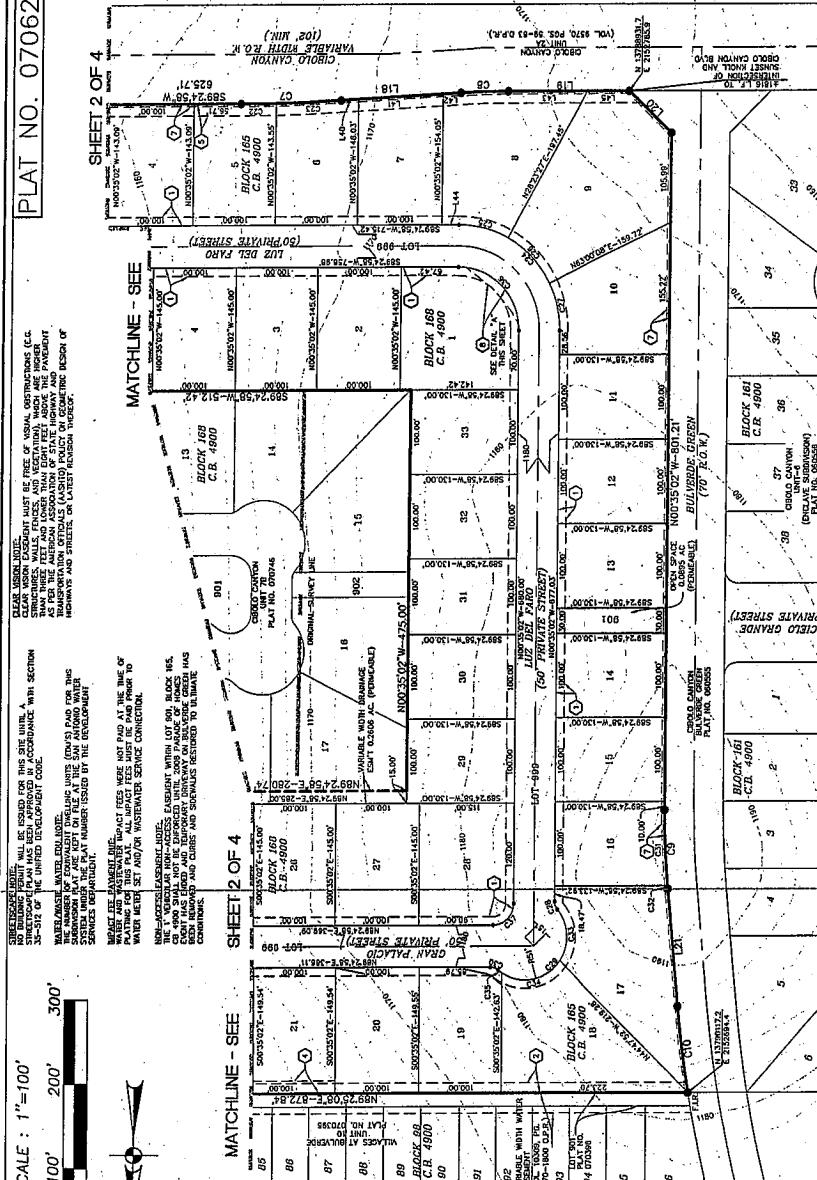
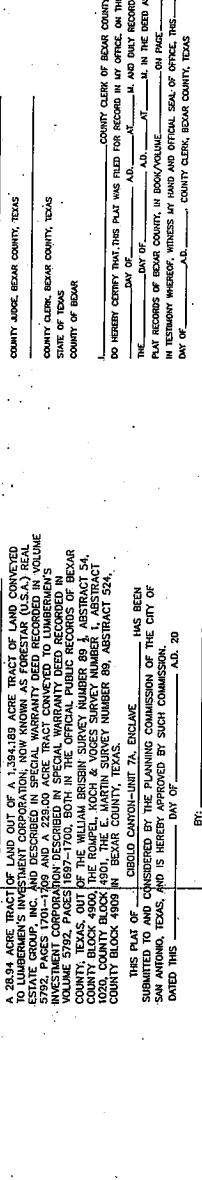
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

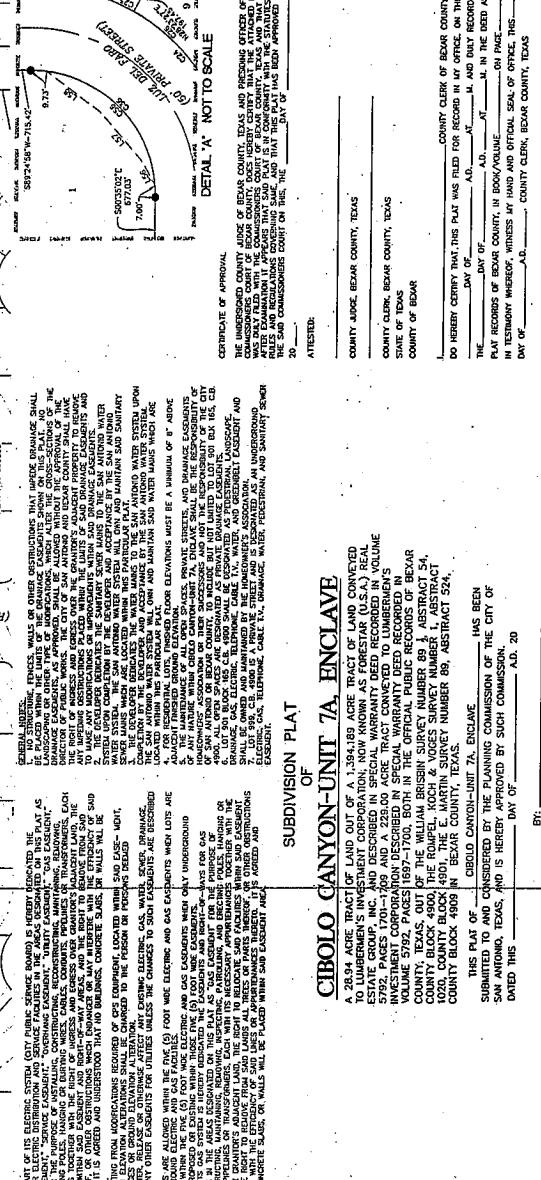
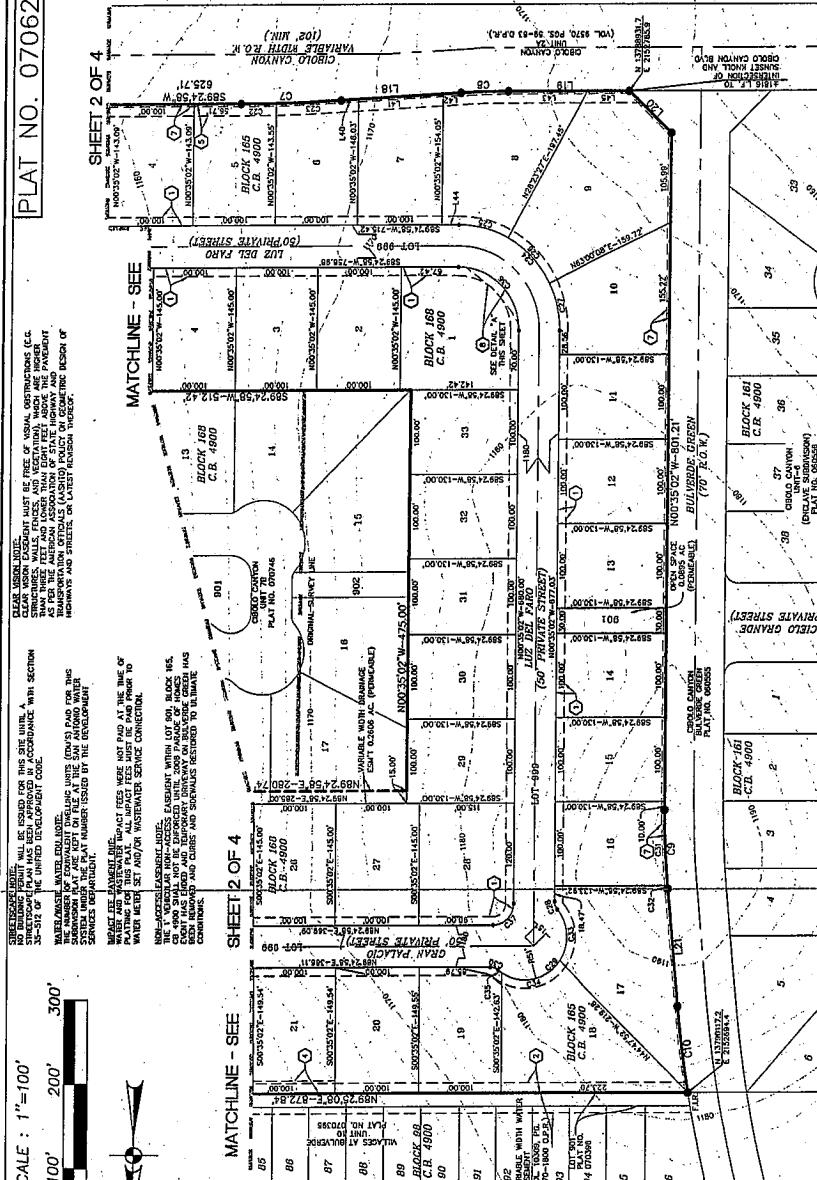
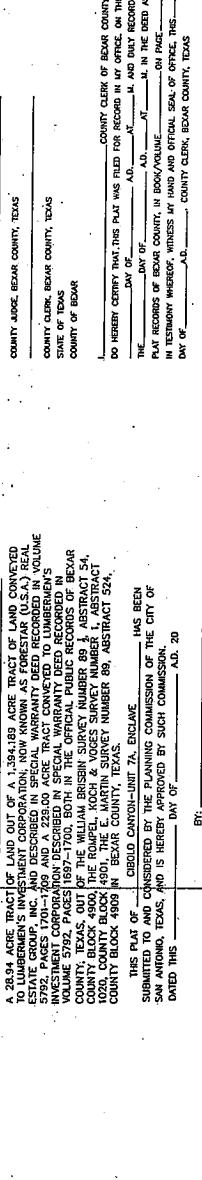
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

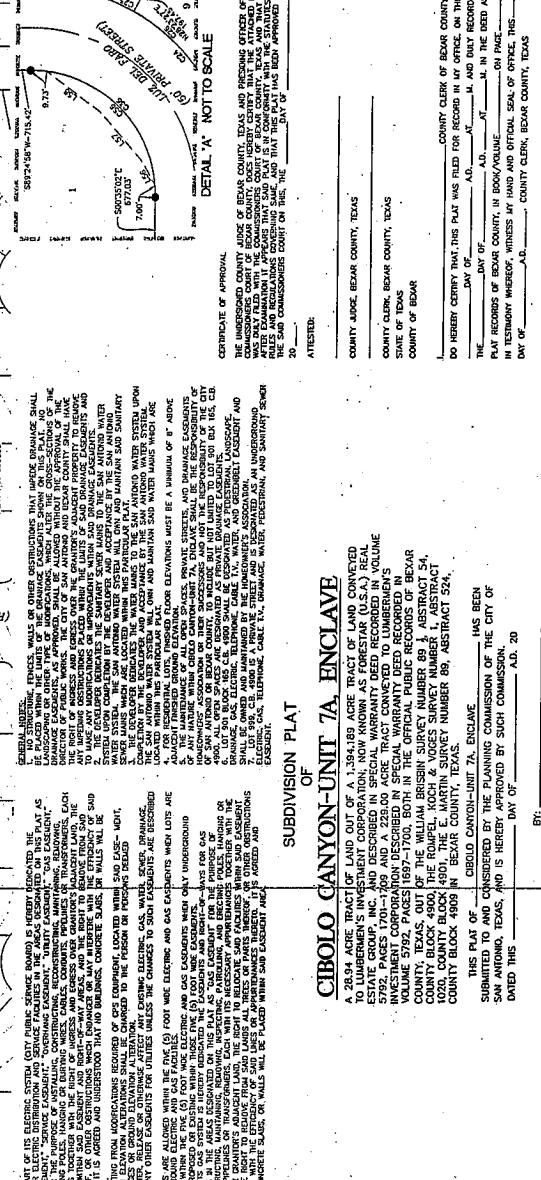
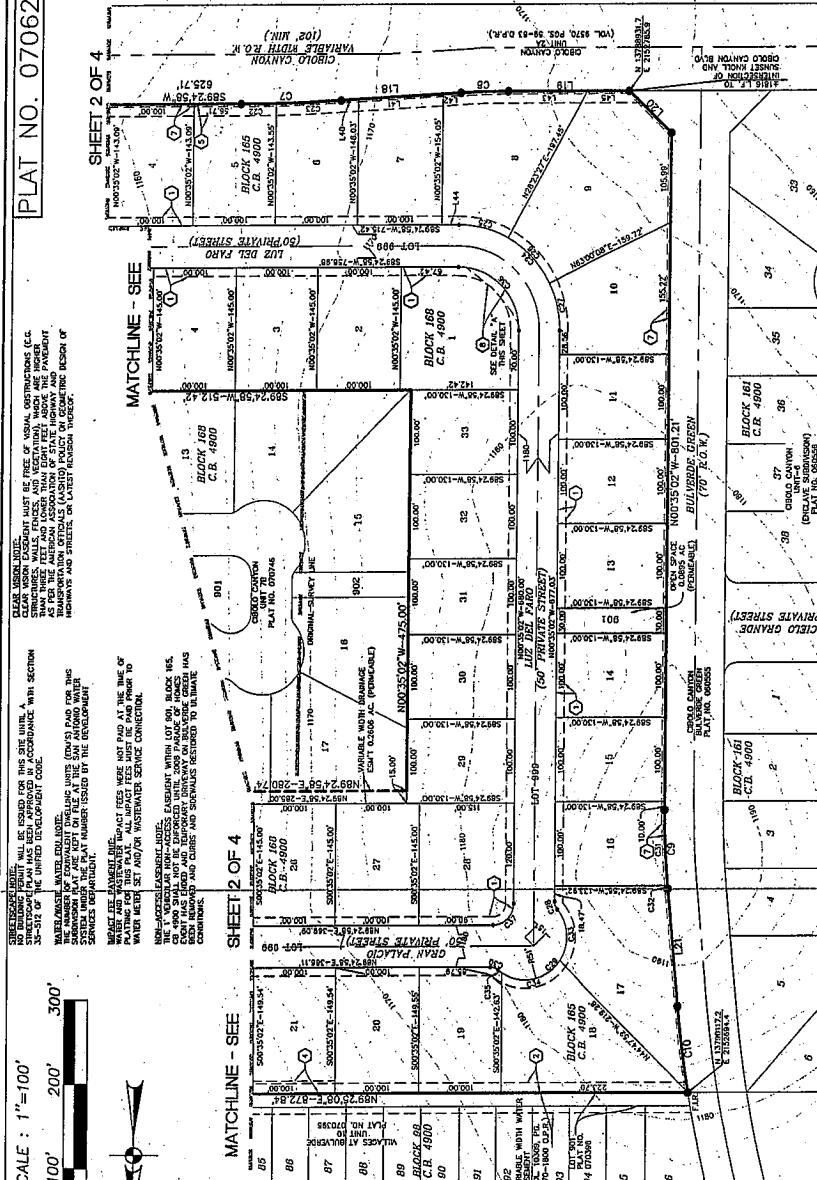
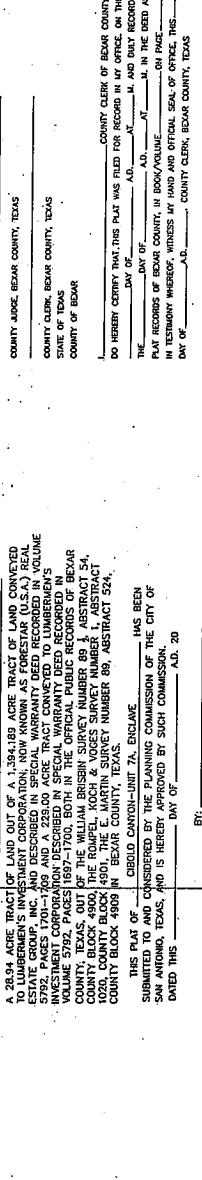
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

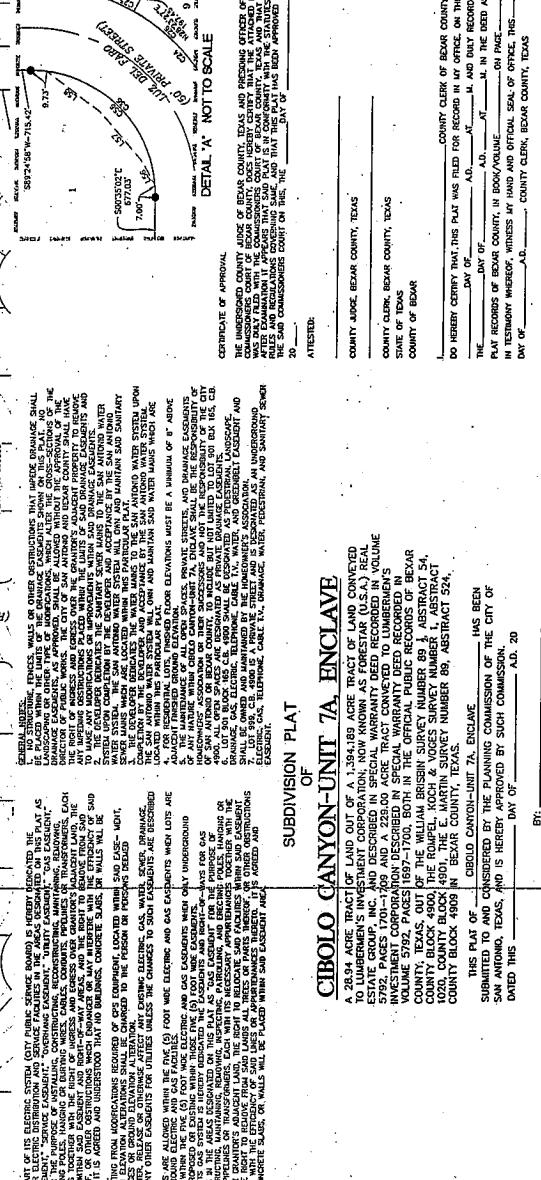
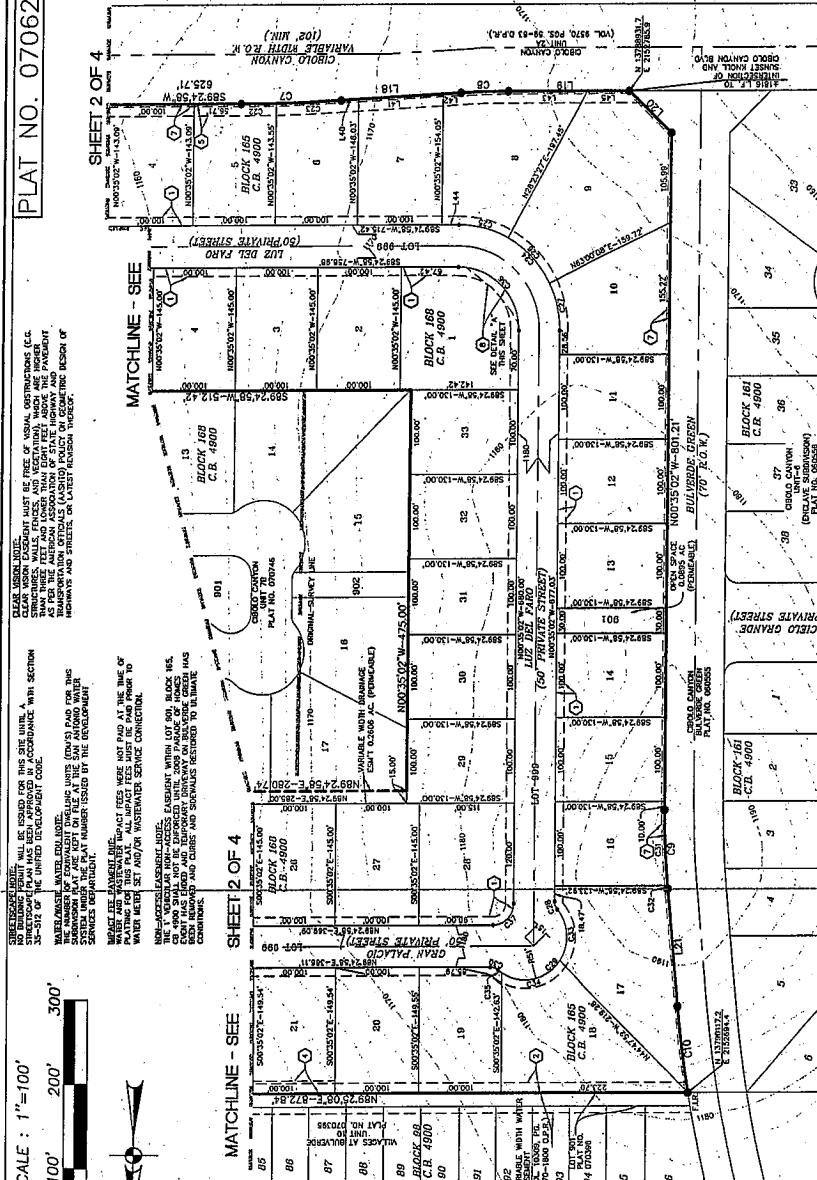
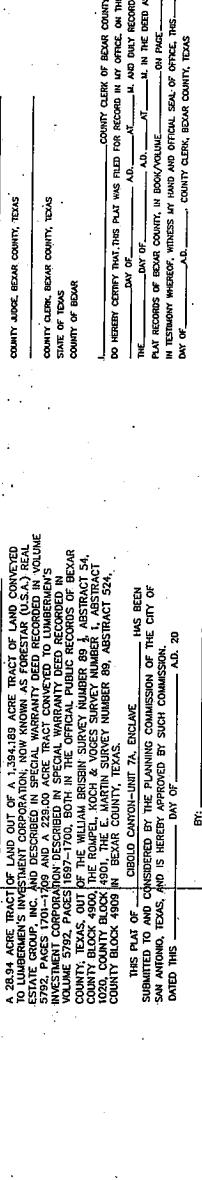
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

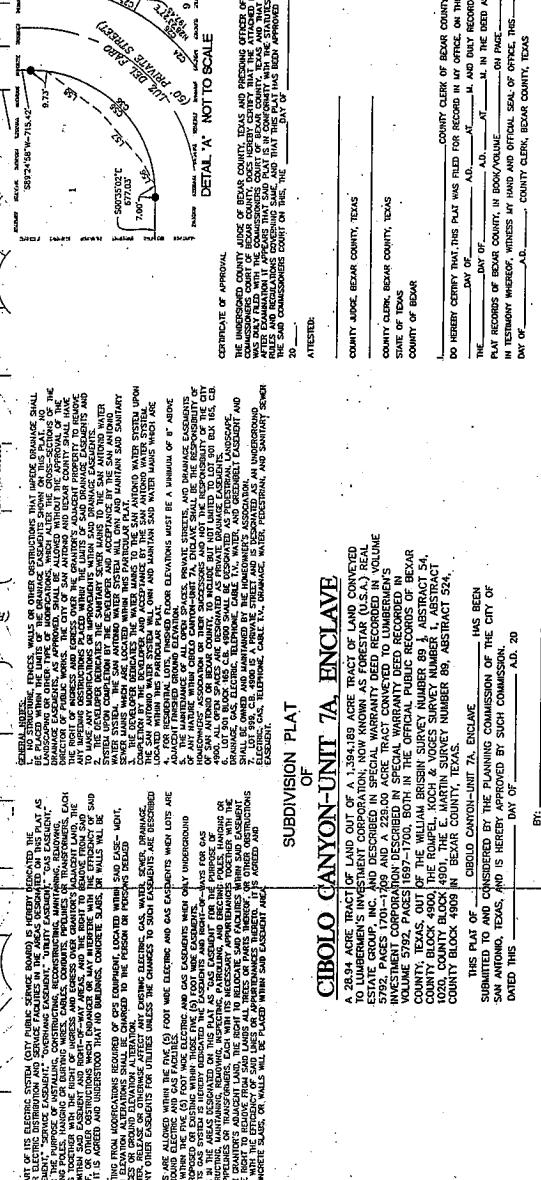
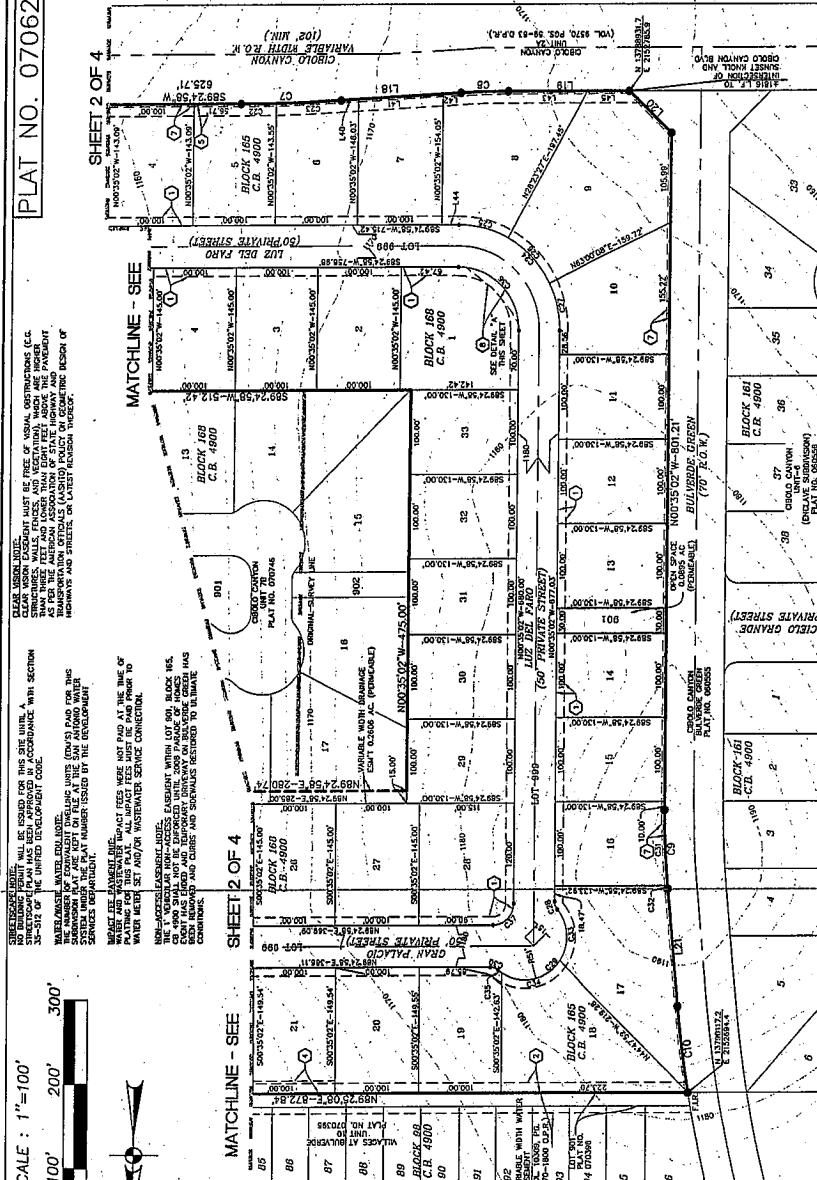
JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE

JOB NO. 3538-91

SUBDIVISION PLAT
OF
CIBOLO CANYON-UNIT 7A, ENCLAVE



December 10, 2007

Ms. Cara C. Tackett, P.E.
Pape-Dawson Engineers, Inc.
555 East Ramsey
San Antonio, Texas 78216

RE: File No. 0712001 - Request for review of **Cibolo Canyon-Unit 7A, Enclave Subdivision, Plat No. 070625** located northwest of Bulverde Green and Cibolo Canyon

Dear Ms. Tackett:

On December 4, 2007, the Aquifer Protection & Evaluation Section of the Resource Protection Division of the San Antonio Water System (SAWS) received a request to review a plat for the property referenced above. Staff reviewed the documentation submitted and conducted field observations of the referenced plat to ensure compliance with applicable requirements for development over the Edwards Aquifer Recharge Zone (EARZ). The land use of the subject plat is for residential and consists of 25.360 acres located entirely within the EARZ. No Geologic features were visually apparent at the site, no significant features were observed. None of the property lies within the 100-year floodplain preservation area.

The proposed development is a **Category 1** property under the provisions of Aquifer Protection Ordinance No. 81491. Should any documentation become available that would alter this Category designation, the documentation may be submitted to the San Antonio Water System for review and possible Category redesignation.

A Water Pollution Abatement Plan (WPAP) and an Organized Sewage Collection System (SCS) Plan has been submitted for review and approval by the Texas Commission on Environmental Quality (TCEQ).

After careful review of the project and the documentation submitted by the applicant, the Aquifer Protection & Evaluation Section of the Resource Protection Division of the San Antonio Water System, recommends the approval of Cibolo Canyon-Unit 7A, Enclave Subdivision, Plat No. 070625.

If you have any questions regarding this matter, please contact the Aquifer Protection & Evaluation Section at (210) 233-3520.

Sincerely,

A handwritten signature in black ink that reads "Kirk M. Nixon".

Kirk M. Nixon
Manager
Resource Protection Division

KMN:GDJ:pgz

**PLANNING COMMISSION
VACATING DECLARATION**

AGENDA ITEM NO: 15 February 27, 2008

FIESTA TEXAS
VACATING DECLARATION
SUBDIVISION NAME

080058
PLAT #

COUNCIL DISTRICT: 8

FERGUSON MAP GRID: 514 B-4

OWNER: Ron Kohl, Agent

ENGINEER: Pape-Dawson Engineers, Inc., by Ruben Cervantes

CASE MANAGER: Larry Odis, Planner (207-0210)

Date filed with Planning Commission: February 11, 2008

Location: Southwest of the corner of IH 10 and La Cantera Parkway

Services Available: SAWS Water and Sewer

Zoning: ED Entertainment District
ERZD Edwards Recharge Zone District

Plat is in accordance with:

MDP 237B, La Cantera, accepted on March 19, 1999.

Proposed Use: Entertainment

APPLICANT'S PROPOSAL:

To vacate a portion of a 16 foot sewer easement in the Fiesta Texas Subdivision, plat # 900167, approved by the San Antonio Planning Commission on September 12, 1990, and recorded in Volume 9522, Page 117-120 of the Bexar County Deed and Plat records.

STAFF RECOMMENDATION:

Approval.



City of San Antonio
Development Services
Subdivision Section

**VACATING
DECLARATION**

RECEIVED
07 NOV -8 AM 8:44

State of Texas §

§

County of Bexar §

LAND DEVELOPMENT
SERVICES DIVISION

Vacating Declaration for a portion of a 16' sanitary sewer easement of Fiesta Texas Subdivision Plat #900167

Known all men by these presents that I (we), the undersigned, hereby acknowledge that I the owners/proprietor(s) of all the land and/or lots or portions of lots embraced by the plat number 900167 known as Fiesta Texas (a copy of which is attached hereto), approved by the City of San Antonio Planning Commission on September 12, 1990, and recorded in Volume 9522, Page 117-120, Bexar County Deed and Plat Records.

In accordance with Vernon's Texas Codes Annotated, Local Government Code Section 212.013 and the City of San Antonio Unified Development Code, the undersigned hereby declare such plat known as Fiesta Texas, plat number 900167 to be vacated. (*Only the portion of the 16' sewer easement as shown on attached exhibit.*)

It is the intent of the undersigned to nullify the force and effect of the recordation of the above referenced plat by filing this vacation instrument in the Bexar County Deed and Plat Records to cause the Bexar County Clerk to write the word "Vacated" in plain, legible letters across the *portion of the 16' sanitary sewer easement* plat so vacated.

Executed this 12th day of Oct, A.D., 2007.

By: [Signature]

Owner

Ron Bell

Owners Duly Authorized Agent

Title: Director of Maintenance

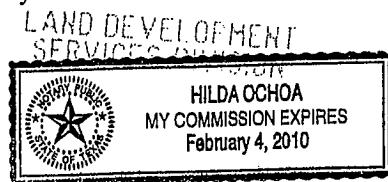
State of Texas §

§

County of Bexar §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally
appeared Ron Kohl, known to me to be the person whose name is
subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the
purpose and consideration therein expressed. Given under my hand and seal of office, this 12th
day of October, 2007.

Hilda Ochoa
Notary Public in and for the State of Texas



My commission expires: 2/4/10

(There shall be a signature space for each proprietor; there shall be an acknowledgment for each
signature; if there is more than one page, the pages shall be numbered ____ of ____ [Vacating Declaration
for _____ Subdivision Plat.]).

This vacating declaration for _____ Subdivision Plat, plat
number _____, submitted to and considered by the City of San Antonio, Texas is
hereby approved.

Dated this _____ day of _____, A.D., 20_____.

By: _____
Chairman

By: _____
Secretary

By: _____
Director of Development Services

Return	Copy to:
Name	
Address	
City, State, & Zip Code	

PLAT NO. 900167

FILED IN MY OFFICE
ROBERT D. GREEN,
COUNTY CLERK, BEXAR CO.
1930 OCT 12 AM 9:58

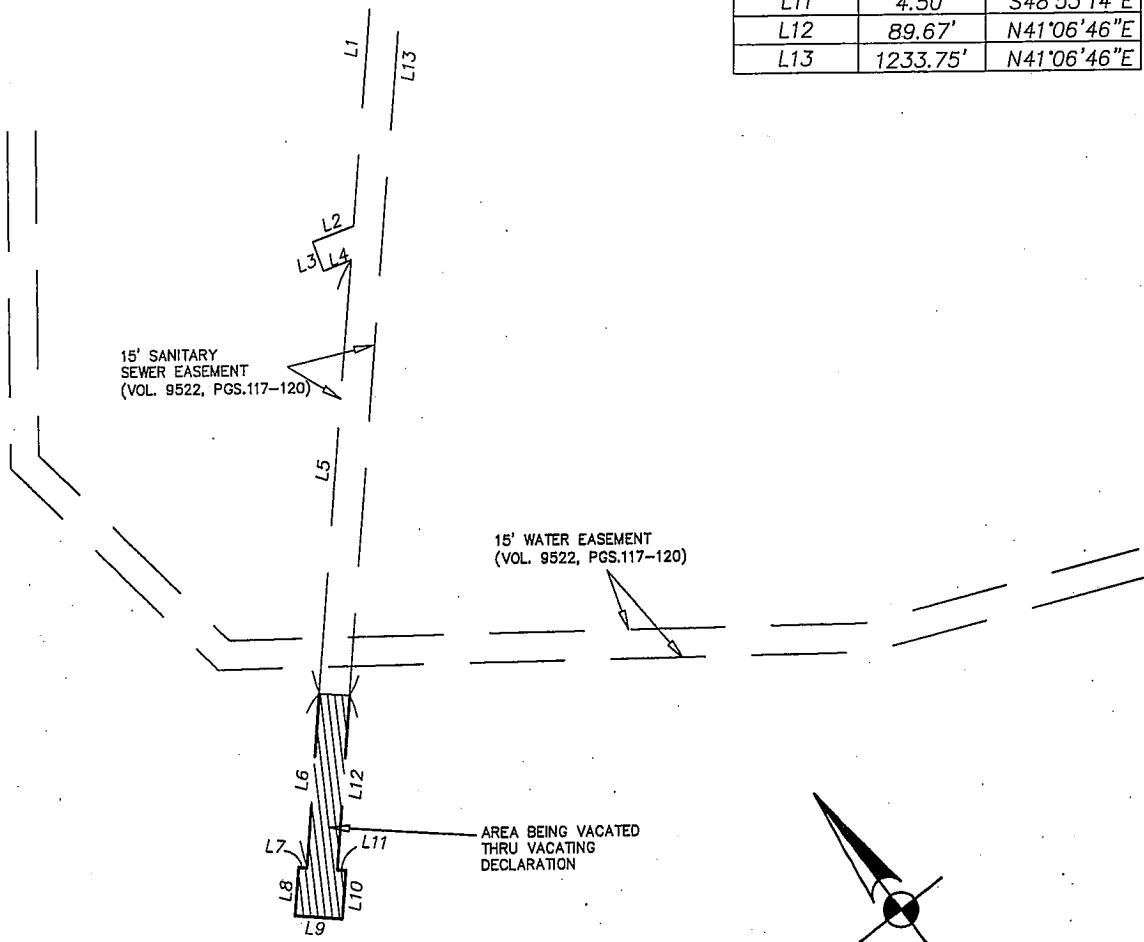
b11
CEG

1900-1901



0-12-90 0522749 000000

LINE TABLE		
LINE	LENGTH	BEARING
L1	997.32'	N41°06'46"E
L2	22.90'	S73°53'14"E
L3	16.00'	N16°06'46"E
L4	15.44'	N73°53'14"W
L5	223.74'	N41°06'46"E
L6	89.53'	N41°06'46"E
L7	4.50'	S48°53'14"E
L8	25.00'	N41°06'46"E
L9	25.00'	N48°53'14"W
L10	25.00'	S41°06'46"W
L11	4.50'	S48°53'14"E
L12	89.67'	N41°06'46"E
L13	1233.75'	N41°06'46"E



SCALE : 1"=100'

**PLANNING COMMISSION
SUBDIVISION**

AGENDA ITEM NO: 16 February 27, 2008

WEST POINTE GARDENS, U-1A MAJOR PLAT 080016
SUBDIVISION NAME PLAT #

COUNCIL DISTRICT: 4 and Outside San Antonio City Limits

FERGUSON MAP GRID: 646 A-3

OWNER: Prestige Development, Inc., by Robert Laurel

ENGINEER: Gomez-Garcia & Associates, Inc., by Alejandro Gomez, P.E.

CASE MANAGER: Jasmin Moore, Planner (207-0142)

Date filed with Planning Commission: PENDING

Location: On the northwest corner of US Highway 90 and Cagnon Road

Services Available: Bexar Metro Water and SAWS Sewer

Zoning: Outside San Antonio City Limits
C-3 General Commercial District

Plat is in accordance with:

MDP #003-06, West Pointe Gardens was accepted on May 26, 2006.

Proposed Use: Single Family & Commercial

Major Thoroughfare: Highway 90 is a freeway minimum R.O.W. 250-500 feet.

APPLICANT'S PROPOSAL:

To plat **88.81** acres consisting of **183** single family lots, **3** non-single family lot, and **4,237** linear feet of public streets.

DISCUSSION:

It is noted that this item was postponed from the February 13, 2008 Planning Commission meeting.

The Bexar County Public Works Department has cited: Section 35-506(d) Table 506-3 of the UDC, Conventional Street Design Standards. The applicant's engineer has submitted a request for an Administrative Exception to the requirement.

The Bexar County Director has granted an administrative exception to Section 35-506(d)(Table 506-3) of the UDC regarding "K" Values as indicated in the attached report.

STAFF RECOMMENDATION:

PENDING

PLAT NO. 080016

OWNER/DEVELOPER: ROBERT LAUREL
PRESTIGE DEVELOPMENT, INC.
18410 BLANCO ROAD SUITE 4, SAN ANTONIO, TX 78222
(210) 485-7033 (210) 483-8881 FAX

IND (UNLESS NOTED)	COUNTY BLOCKS NEW CITY BLOCKS	RIGHT-OF-WAY EASEMENT	VEHICULAR NO.
	C.B. N.C.B. R.O.W. ESMT	V.N.A.E.	

REFER TO SHEET 2
FOR TXDOT NOTES

VARIFERDITH

卷之三

GOMEZ-GARCIA AND ASSOCIATES, INC.
6723 BOTTS LANE, SAN ANTONIO, TEXAS 78217
(210) 812-5805 (210) 812-5815 FAX

Section 1 of 5

SHEET 1 OF 5

SEARCH 1 OF 5

SEARCH 1 OF 5

PLAT NO. 080016

OWNER/DEVELOPER: ROBERT LAUREL
PRESTRIER DEVELOPMENT, INC.
16101 BLANCO ROAD SUITE 4, SAN ANTONIO, TX 78232
(210) 453-7045 FAX
(210) 453-8181 FAX

CURVE TABLE

DATE

CHORD

BEND

CHORD

CHORD</

Gómez-García & Associates, Inc.

8723 Botts Lane
San Antonio, Texas 78217
(210) 832-9608 (210) 832-9615 Fax

February 5, 2008

Ms. Jasmine Moore
Planner, Land Entitlements
Development Services Department
1901 S. Alamo
San Antonio, Texas
78204

Subject: West Pointe Gardens U1a, Plat # 080016 (A.K.A. 060018)
Inside City Limits and ETJ
Administrative Exception to 35-506(d) Table 506-3 (K-values)

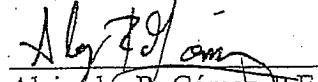
Dear Jasmine:

Due to the abrupt changes of topography and the amount of pluvial runoff for this particular tract, Gomez-Garcia and Associates, Inc. hereby request an Administrative Variance to the UDC section 35-506(d) Table 506-3.(K-Values).

This project was designed under plat I.D. # 060018 for which all of the construction has been completed. Because of the aforementioned problems Spurs Ranch Road had to be designed for a 35 MPH speed limit. We are aware that "no adjustments will be considered on the proposed speed limit", but that is really the only corrective measure to resolve the grade changes and the proper stormwater distribution. Please review the attached calculations to determine the proposed Administrative Exception. In addition, street lights will be provided along Spurs Ranch. The operation of such lights will be covered by the HOA. We also invite you to visit the site and drive on Spurs Ranch Road. You will see that the design and the construction of this road are safe to the public.

If you have any questions or would like to meet concerning this matter please do not hesitate call me at your convenience at 210-639-5193. Thank you in advance for your prompt response on this matter.

Respectfully,



Alejandro R. Gómez, P.E.
President

**PLANNING COMMISSION
REPLAT**

AGENDA ITEM NO: 17 February 27, 2008

**RODEWAY INN
SUBDIVISION NAME**

MINOR PLAT

**080080
PLAT #**

COUNCIL DISTRICT: 10

FERGUSON MAP GRID: 552 E-6

OWNER: Mike Patel

ENGINEER: Dye Enterprises, by D. Scott Dye, P.E.

CASE MANAGER: Jasmin Moore, Planner (207-0142)

Date filed with Planning Commission: January 30, 2008

Location: On the west side of IH-35, south of Whirlwind Drive.

Services Available: SAWS Water and Sewer

Zoning: C-3 General Commercial District
IH-1 Northeast Gateway Corridor District

Proposed Use: Commercial

Major Thoroughfare: IH-35 is a freeway, minimum R.O.W. 250 feet.

APPLICANT'S PROPOSAL:

To plat **0.850** acres consisting of 1 non single family lot.

DISCUSSION:

The Department of Development Services has cited: Section 35-515(c)(6) of the UDC regarding landlocked conditions. The applicant's engineer has submitted a request for variance to the requirement. The Development Services Department, Engineering has no objection to the granting of the variance as indicated in their attached report.

STAFF RECOMMENDATION:

Approval

Dye Enterprises

Engineers • Surveyors • Planners

D. Scott Dye, P.E., R.P.L.S.

VARIANCE REQUEST

January 23, 2008

Re: Rodeway Inn
San Antonio, TX
Plat No. 080080

On behalf of our client, Mr. Mike Patel of 903 Inc., we are requesting that the City of San Antonio grant a variance to Section 35-515(c)(5) of the City's Unified Development Code (UDC) for the referenced subdivision. This subject section of the UDC titled Prohibition against creating landlocked conditions states "Plat applicants shall ensure that there is no abutting landlock conditions created by the proposed plat." In particular, this request involves the 0.0508 acre landlocked parcel shown on the subdivision plat as being owned by Projects Unlimited, Inc. Having consulted extensively with City staff, we would like to offer the following rationale to support our request.

VARIANCE RATIONALE

The current replat for Rodeway Inn referenced above is out of original Lot 4, N.C.B. 14043 as shown on the subdivision plat for Richards Subdivision, Unit-2 platted in 1971 and recorded in Volume 6700, Page 57 of the Bexar County Deed and Plat Records. The subdivider/owner of the Richards Subdivision back in 1971 was Projects Unlimited, Inc. In 1973, subsequent to completing the platting process, Projects Unlimited, Inc. conveyed two portions of the platted Lot 4 to Clyde Skeen by two old metes and bounds descriptions created prior to the Richards Subdivision plat. It is unknown as to why the conveyance was by metes and bounds as opposed to the platted Lot and Block of the newly created Richards Subdivision. Whatever the reason, the combination of these two old metes and bounds descriptions left the aforementioned 0.0508 acre parcel out of the conveyance To Clyde Skeen. According to our research, this is when and how the landlocked parcel was created.

Our client now desires to replat the southwesterly portion of Lot 4 that abuts the 0.0508 acre parcel. The appearance is that the new subdivision is "creating" a landlocked piece of property. As discussed above, the landlocked 0.0508 acre parcel is not actually being created by this subdivision but was created in 1973 by its current owner, Projects Unlimited, Inc. The UDC specifically and clearly states that "no abutting landlock conditions created by the proposed plat." are allowed (emphasis mine). As we are not creating the landlock situation, we respectfully ask that the City of San Antonio allow our client to successfully replat the reference subdivision in its current configuration and as approved by all reviewing agencies. It is questionable as to whether a variance is actually required for this project.

- If the applicant complies strictly with the provisions of these regulations, he/she can make no reasonable use of his/her property.
To comply strictly with the provisions of the regulations will prevent our client from platting his property and procuring a building permit thereby not allowing reasonable use of his property.
- The hardship relates to the applicant's land, rather than personal circumstance.
As described above, the hardship is related to the self-imposed actions of the adjoining parcel owner and has nothing to do with our client. This relates to land configuration, not personal circumstance of my client.
- The hardship is unique, or nearly so, rather than one shared by many surrounding properties.
This is truly a unique situation to our client's parcel only as the surrounding properties are still

Variance Request

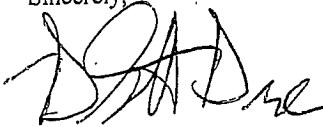
January 23, 2008

Page 2

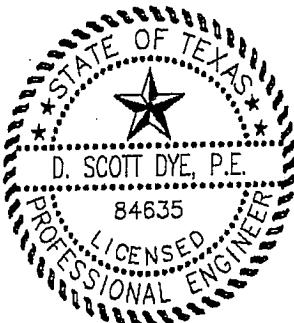
intact as whole platted lots that are fully developed. The "landlock" situation created by the original developer applies only to our client's undeveloped property that is a portion of a platted lot and not to any other surrounding properties.

- The hardship is not the result of the applicant's own actions.
As described above, the hardship is not the result of our client's actions but rather by the actions of the original developer who created the "landlocked" parcel.
- The granting of the variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area in accordance with these regulations.
Granting this variance will not be injurious to other property nor prevent the orderly subdivision of other property. The problem is not being created by our client but was self inflicted by the original developer.

Sincerely,



D. Scott Dye, P.E., R.P.L.S.



CITY OF SAN ANTONIO

Interdepartment Correspondence Sheet

TO: Planning Commission through Director of Development Services

FROM: Development Services Department – Streets

COPIES TO: Correspondence File

SUBJECT: Roadway Inn (Plat # 080080)

DATE: January 29, 2008

The Development Services Department (DSD) Administrative Exception Variance Request Committee (AEVRC) has reviewed the information presented in Mr. Dye's letter dated January 23, 2008. The proposed replat is located along the access road of I.H. 35 N near I.H. 410 NE.

Response to Section 35-515(c) (6) Lots - Variance: The proposed development consists of 1 commercial lot on 0.85 acres. The proposed development is in the vicinity of I.H. 410 N.E. and I.H. 35 N in District 10 within the City of San Antonio City Limits.

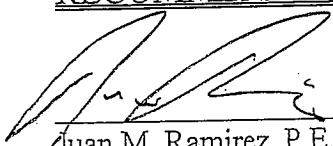
The Unified Development Code (UDC) – Article V, Section 35-515 (c) (6), Lot Layout Regulations – Prohibition against creating landlocked conditions, where plat applicants shall ensure that there is no abutting land lock conditions created by the proposed plat. Section 35-515 (c) (4), Lot Layout Regulations – Frontage, requires that all lots shall front on a public or private street and shall have a minimum frontage width as indicated in section 35-310. Section 35-515 (c)(5), Lot Layout Regulations – Access, requires that vehicular access to nonresidential uses must be by public street and shall not utilize any property that is zoned single-family residential. Currently, the applicant does not meet these requirements. DSD AEVRC agrees with the applicants' analysis for the following reason:

The applicant is platting an egress and ingress easement that would serve as a means of access to the land lock portion in question.

The AEVRC believes the proposed variance **does** meet the intent of the UDC and is therefore approved.

Sincerely,

RECOMMEND APPROVAL:



Juan M. Ramirez, P.E.
Engineer
DSD – Land Development Engineering

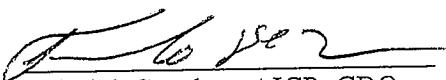
1/29/08
Date

Agree/Disagree:



Thomas Carrasco, P.E.
Chief Engineer
Development Services Department
1/30/08
Date

I have reviewed the AEVR Analysis and concur with the recommendation.



Roderick Sanchez, AICP, CBO

Director

Development Services Department

CITY OF SAN ANTONIO

Department of Asset Management Interdepartmental Correspondence Sheet

TO: Planning Commission **Individual Consideration**

FROM: Mark Gretchen, Interim Director *Mark Gretchen*

SUBJECT: S. P. No. 1275—Request to close, vacate and abandon a portion of a 10 foot-wide (paper) alley located between Wilmot and West Commerce Streets within NCB 8252

DATE: Monday, February 11, 2008

PETITIONER: Ho-Hak, Inc.; c/o Flores & Company Inc.

Attn: Tom Flores
12915 Jones Maltsberger, Suite 401
San Antonio, TX 78247

Staff is requesting that this item be placed on the Planning Commission agenda for individual consideration and a Public Hearing at the Planning Commission meeting on 2/27/2008.

BACKGROUND

Petitioner is requesting the closure, vacation and abandonment of a portion of a 10 foot-wide (paper) Public Right of Way located within NCB 8252 between Wilmot and West Commerce Streets as shown on attached Exhibit "A." Petitioner would like to develop its abutting properties as this closure will facilitate the construction of a planned restaurant. Property owners abutting the proposed closure have agreed to this request. Further, in order to ensure continued ingress and egress, the Petitioner has agreed to dedicate two 10 foot-wide easements out of their properties, as shown on the Exhibit.

COORDINATION AND FINANCIAL IMPACT

In compliance with City procedures, petitioner's request has been canvassed through interested City departments, utilities and applicable agencies. An executed Letter of Agreement by which the petitioner agrees with all fees and conditions imposed through this canvassing is attached for your review.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of this request.

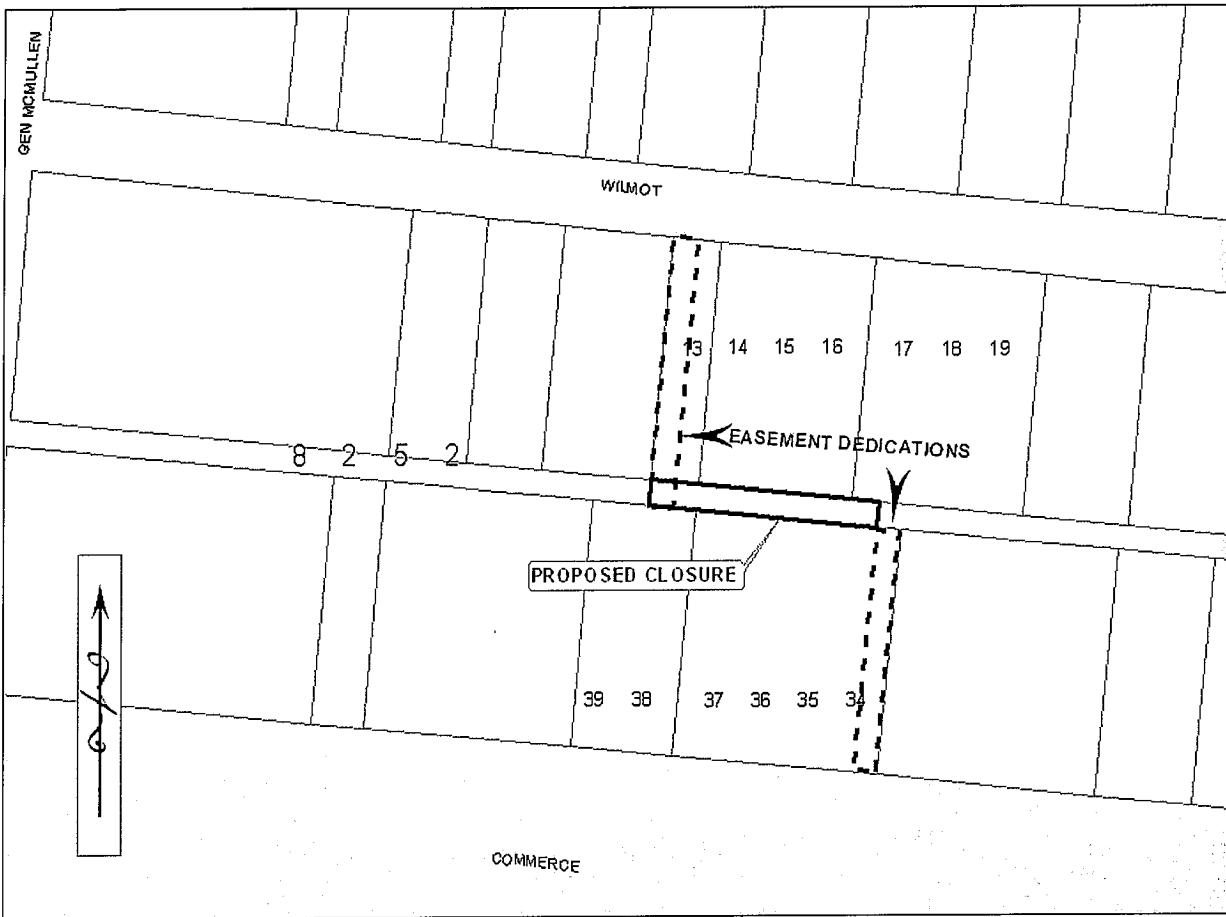


Exhibit "A"

S. P. No. 1275

Petitioner: Ho-Hak



CITY OF SAN ANTONIO

DEPARTMENT OF ASSET MANAGEMENT

P.O. BOX 839966 SAN ANTONIO, TEXAS 78283-3966

TEL. 210-207-4032 FAX 210-207-7888

December 4, 2007

Ho-Hack, Inc.
c/o Flores & Company, Inc.
Attn: Tom Flores
12915 Jones Maltsberger, Suite 401
San Antonio, TX 78247

Re: S. P. No. 1275—Request to close, vacate and abandon a portion of an alley Public Right of Way located between Gen. McMullen and Knoke Streets within NCB 8252

Dear Mr. Flores:

With reference to the captioned project, please be advised that the City of San Antonio has now completed the canvassing process and will recommend approval of your request subject to the following conditions:

PUBLIC WORKS DEPARTMENT

No median opening shall be allowed on Commerce Street for the proposed 10 foot-wide easement. Movements into and out of the proposed 10 foot easement along Commerce shall be restricted to right turns in and right turns out only.

DEVELOPMENT SERVICES DEPARTMENT

The site must be assembled with Petitioner's property and platted in accordance with Code.

SAN ANTONIO WATER SYSTEM

Petitioner must agree to reserve a perpetual easement for all existing water and/or sewer facilities and agree to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with San Antonio Water System and at the sole expense of the petitioner.

DEPARTMENT OF ASSET MANAGEMENT

- The closure, vacation and abandonment of this Public Right of Way will be authorized by a City Ordinance.
- Petitioner asserts that all evidence of ownership of property abutting the Public Right of Way proposed to be closed, vacated and abandoned by the City of San Antonio is true and correct.
- The petitioner acknowledges that this property will be accepted in its "as is" condition.

- Petitioner agrees to reserve a perpetual easement for all existing overhead, surface or subsurface utilities within the Public Right of Way proposed to be closed, including but not limited to: electrical, water, sewer, telephone, cable, fiber optic conduit, etc. Petitioner agrees to allow perpetual access to any such utilities or may seek the relocation of a specific utility with the express permission and coordination of the respective owner of the utility and at the sole expense of the petitioner.
- Petitioner agrees to dedicate two 10 foot-wide easements, out of their lots in Block 13, NCB 8252; one out of Lot 13 running between the alley and Wilmot Avenue and the second out of Lot 34 running between the alley and West Commerce Street permitting public ingress and egress to the remainder of the alley.
- *Petitioner agrees to remit a closure fee of \$2,973.00*, which includes the assessed value of \$2,938.00 for the Public Right of Way and \$35.00 for recording documents. This closure fee will be due and payable to the City of San Antonio, and is to be submitted with this executed Letter of Agreement. If for some reason the closure is not approved by City Council, the closure fee will be refunded to the petitioner.

Also, a signed Discretionary Contracts Disclosure form is required and is enclosed for your convenience.

This Letter of Agreement is being offered by City of San Antonio only to the petitioner named above and will expire thirty (30) days after date of issuance unless a specific extension is requested by the petitioner and granted by the City.

If your client concurs with the above mentioned conditions, including the payment of the assessed closure fee, please have your client countersign this letter in the spaces provided below and return to the undersigned. *Upon receipt of this executed Letter of Agreement, the Discretionary Contracts Disclosure form and the closure fee we will continue processing your request.*

Sincerely,

Oscar Serrano
Real Estate Manager

CERTIFIED MAIL 7002 2030 0005 8524 4785

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:

Ho-Hack, Inc.

By Gloria Condejas

Print Name

President.
Title 1 - 7 - 2008
Date

CITY OF SAN ANTONIO

Department of Asset Management
Interdepartmental Correspondence Sheet

TO:	<u>Planning Commission</u>	Individual Consideration
FROM:	<u>Mark Gretchen</u>	
SUBJECT:	<u>S. P. No. 1321—Request to close, vacate and abandon an unimproved 16-foot wide alley adjacent to NCB 992 located between N. Pine and Muth Streets</u>	
	DATE: <u>Monday, February 11, 2008</u>	

PETITIONER: Carson Land Trust, et al
 Attn: Richard Brownlee, Trustee
 801 E. Mason
 San Antonio, Texas 78208

Staff is requesting that this item be placed on the Planning Commission agenda for individual consideration and a Public Hearing at the Planning Commission meeting on 2/27/2008.

BACKGROUND

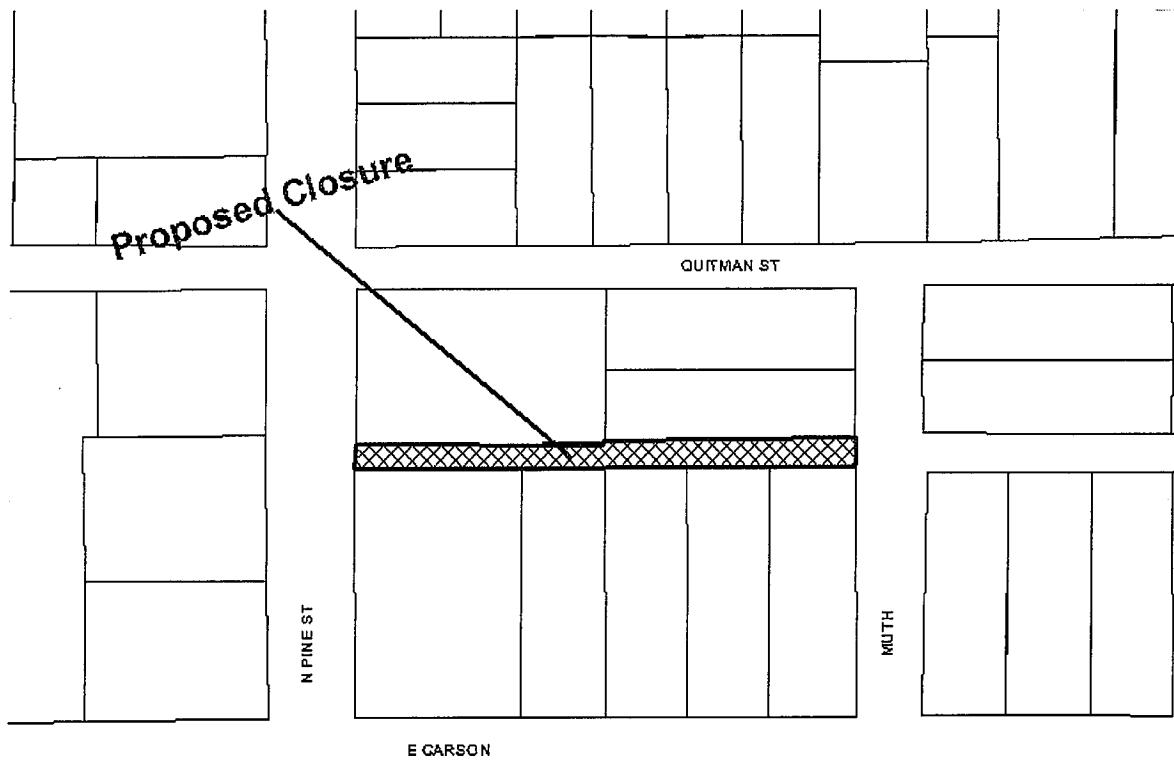
Petitioners are requesting to close, vacate and abandon an unimproved 16-foot wide alley adjacent to NCB 992 located between N. Pine and Muth Streets in City Council District No. 2, as shown on attached Exhibit "A". If approved, Carson Land Trust proposes to re-plat and incorporate its proportionate portion of the Public Right of Way with its abutting properties and construct an Assisted Living Center. The other abutting property owners intend to incorporate their proportionate portion of the Public Right of Way with their properties. Petitioners allege that vandalism and other crimes have been committed to their adjacent properties and are of the opinion that closing this alley will alleviate this problem. All abutting property owners have agreed with the proposed closure.

COORDINATION AND FINANCIAL IMPACT

In compliance with City procedures, petitioner's request has been canvassed through interested City departments, utilities and applicable agencies. An executed Letter of Agreement by which the petitioner agrees with all fees and conditions imposed through this canvassing is attached for your review.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of this request.



Map of Proposed Closure



Aerial Photograph of Proposed Closure

Exhibit “A”

Page 1 of 2



View of Proposed Closure Facing West

Exhibit “A”
Page 2 of 2



CITY OF SAN ANTONIO

DEPARTMENT OF ASSET MANAGEMENT
P.O. BOX 839966 SAN ANTONIO, TEXAS 78283-3966
TEL. 210-207-4032 FAX 210-207-7888

January 10, 2008

Carson Land Trust, et al
C/o Jeff A. Harmon, Attorney At Law
527 Fulton Avenue
San Antonio, Texas 78212

Re: S. P. No. 1321- Request to close, vacate and abandon an unimproved 16-foot wide alley adjacent to NCB 992 located between N. Pine and Muth Streets

Dear Mr. Harmon:

With reference to the captioned project, please be advised that the City of San Antonio has now completed the canvassing process and will recommend approval of your clients' request subject to the following conditions:

PUBLIC WORKS DEPARTMENT: At the time of platting, adequate consideration for drainage must be submitted to the Storm Water Engineering Division of the Public Works Department for review. Re-platting should require a Traffic Impact Analysis (TIA) with new use and must ensure adequate on-site parking for new use.

DEVELOPMENT SERVICES DEPARTMENT: Provided proper permits are obtained. The site must be assembled with petitioners' property and platted in accordance with code.

PLANNING DEPARTMENT: The property is subject to the Government Hill Neighborhood Plan.

SAN ANTONIO WATER SYSTEM: Petitioners must agree to reserve a perpetual easement for all existing water and/or sewer facilities and agree to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with San Antonio Water System and at the sole expense of the petitioner. Petitioners' proportionate share of the unimproved alley may become an easement should any utility be located within said alley.

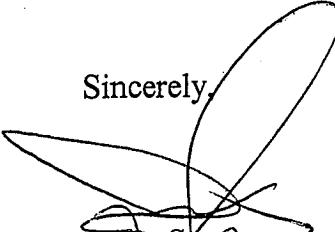
DEPARTMENT OF ASSET MANAGEMENT: The closure, vacation and abandonment of this Public Right of Way will be authorized by a City Ordinance in accordance with current policies relevant to street/alley closures. Petitioners assert that all evidence of ownership of property abutting the Public Right of Way proposed to be closed, vacated and abandoned by the City of San Antonio is true and correct. The petitioners acknowledge that this property will be accepted in its "as is" condition. Petitioners agree to reserve a perpetual easement for all existing overhead, surface or subsurface utilities within the Public Right of Way proposed to be closed, including but not limited to: electrical, water, sewer, telephone, cable, fiber optic conduit, etc. Petitioners agree to allow perpetual access to any such utilities or may seek the relocation of a specific utility with the express permission and coordination of the respective owner of the utility at the sole expense of the petitioners.

Petitioners agree to pay a total closure fee of \$4,539.00 which includes the assessed value of the Public Right of Way and additional fees of \$144.00 for the posting of two (2) signs notifying the public of the proposed alley closure and \$90.00 for the recording fees. The following is a breakdown due for each petitioner: Carson Land Trust \$1,509.00; Jose J. Caracheo \$1,515.00 and Shannon Page Dunn \$1,515.00. This closure fee will be due and payable to the City of San Antonio prior to City Council consideration. If for some reason the closure is not approved by City Council, the closure and recording fees will be refunded to the petitioners, less the fee for the posting of notification signs.

This Letter of Agreement is being offered by City of San Antonio only to the petitioners named below and will expire thirty (30) days after date of issuance unless a specific extension is requested by the petitioners and granted by the City.

If you concur with the above mentioned conditions, including the payment of the assessed closure fee, please countersign this letter in the spaces provided below and return to the undersigned. Upon receipt of this executed Letter of Agreement, the Discretionary Contracts Disclosure Statements and the closure fee, we will continue processing your request.

Sincerely,



Oscar Serrano,
Real Estate Manager

AGREED AS TO TERMS AND CONDITIONS:

Carson Land Trust

Richard Brownl  e

By: Richard Brownl  e

Trustee

Title: Trustee

Jan 30/08

Date:

Jose J. Caracheo

Jose J. Caracheo

By: Jose J. Caracheo

Owner

Title:

2-1-08

Date:

SP

SHANNON

Sharon Page Dunn

Sharon Dunn

By: Sharon Page Dunn

SHANNON

Owner

Title:

2-1-08

Date:

City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation

Plan Amendment Application Case No.: 08001 CD

ITEM # 20

Council District: 2

City Council Meeting Date: 4/3/2008

Plan Amendment Map – Attachment 1
 Digital Ortho Image – Attachment 2

Summary:

Neighborhood/Community/Perimeter Plan: **Arena District/Eastside Community Plan**

The applicant requests to amend the Land Use Plan designation from **Medium Density Residential** to **Neighborhood Commercial**.

Background Information:

Applicant: Ibanez, Leo

Owner: Ismail, Nada

Property Location: 2403 East Commerce St.

Acreage: .61

Current Land Use of site: Vacant and Gas Station/Convenience Store

Adjacent Land Uses:

N: Low Density Residential

E: Commercial

S: Commercial

W: Commercial

Issue:

LAND USE ANALYSIS:

The subject property consists of 4 parcels located at the intersection of E. Commerce St. and N. Gevers St. Existing surrounding land uses include low density residential land use immediately north and east, and commercial land uses to the west and south of the property. To the west of the property is a small business center including a hair salon, restaurant, flower shop, and a restaurant being remodeled. Also to the west and across the street from the property are industrial uses and a Texaco gas station. To the south of the property is a small auto business. This proposed amendment would expand the existing neighborhood commercial node.

The Arena District Community Plan designates *Medium Density Residential* for the subject parcels, which include small lot single-family development, accessory dwellings, duplexes, cottage houses, triplexes, fourplexes, and townhomes. Exhibiting a medium density, this category provides for a diversity of residential development while still maintaining an overall urban residential character. Typically, Low Density Residential uses are found within this classification, and should be located in the center of the neighborhood, with Medium Density Residential being located at the edges of the neighborhood.

The proposed Neighborhood Commercial land use provides small areas for offices, professional services, service and shop front retail uses that can be served by pedestrian access. Neighborhood Commercial should have a service area radius of approximately a half-mile, and should serve a population of approximately 2,000 to 5,000 people. It permits a limited group of commercial uses that serve the neighborhood while protecting the abutting residential areas. Neighborhood Commercial should be located at the intersection of a collector and arterial street or where an existing commercial area has been established. Live/work units, allowing for residential use above commercial space, are permitted. Examples of Neighborhood Commercial services are small gasoline service stations and convenience/food stores, restaurants, neighborhood shopping centers, medical clinics, day care

City of San Antonio Planning and Community Development Department

Plan Amendment Recommendation

centers, bed and breakfasts, rooming houses, social assistance services, and office or bank buildings (stand alone).

Minimal Impact Impact can be mitigated Significant Impact - Incompatible Land Use

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: E. Commerce St. is a Primary Arterial Type B (ROW 70'-120').

Other streets: The property is located at the corner of East Commerce and South Gevers Streets. N. Gevers is a local street.

Comments: There is ongoing construction before the intersection of the property on E. Commerce from the intersections of Spiggsdale St. to Garcia St. (and E. Commerce). There is also some construction at St. Philip's College 2 blocks from E. Commerce on S. Walters and Montana St.

Minimal Impact Impact can be mitigated Significant Impact to Transportation Capacity

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: Victory Gospel Church, St. Philip's Community College and Community Center/Park are located south of the subject property. St. Gerard Catholic Church and Smith Elementary are further south of the subject property. A large cemetery is located further east of the subject property.

Minimal Impact Impact can be mitigated Significant Impact to Community Facilities Capacity

Recommendation:

STAFF RECOMMENDATION:

Approval Denial Alternate Recommendation:

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: February 27, 2008; continued from January 23, 2008; continued from November 14, 2007

Approval Denial Resolution Attached

Newspaper Publication Date of Public Hearing: 2/08/2008

No. Notices mailed 10 days prior to Public Hearing: 55

Registered Neighborhood Association(s) Notified: Jefferson Heights Neighborhood Association

ZONING COMMISSION SUPPLEMENTAL INFORMATION:

Current zoning district: I-1 EP-1 & C-2 EP-1 **Proposed zoning district:** C-1 CD EP-1

Zoning Commission Public Hearing Date: 10/02/07

Approval Denial

Comments: Through a conditional use, additional site mitigation measures including but not limited to noise attenuation, vegetative buffers, directional lighting, surveillance cameras for security, etc. could be imposed. Coordinating zoning case is Z2007290 CD.

City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation

Planning Department Staff:

Patrick Howard, AICP

Assistant Planning Director

Nina Nixon-Mendez, AICP

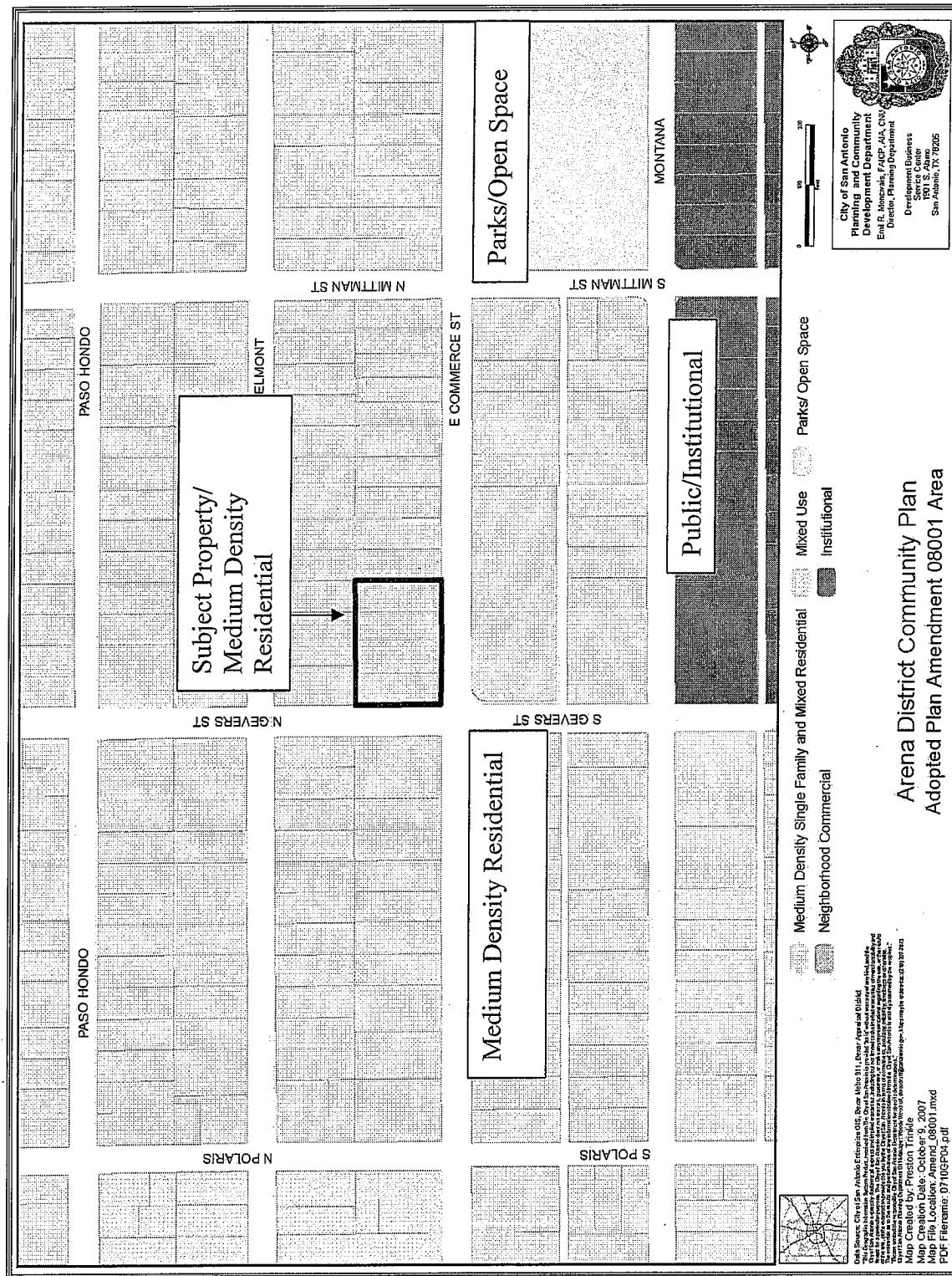
Planning Manager

Case Manager: Tamara Palma

Planner

Phone No.: 207-7909

Land Use Plan as adopted:



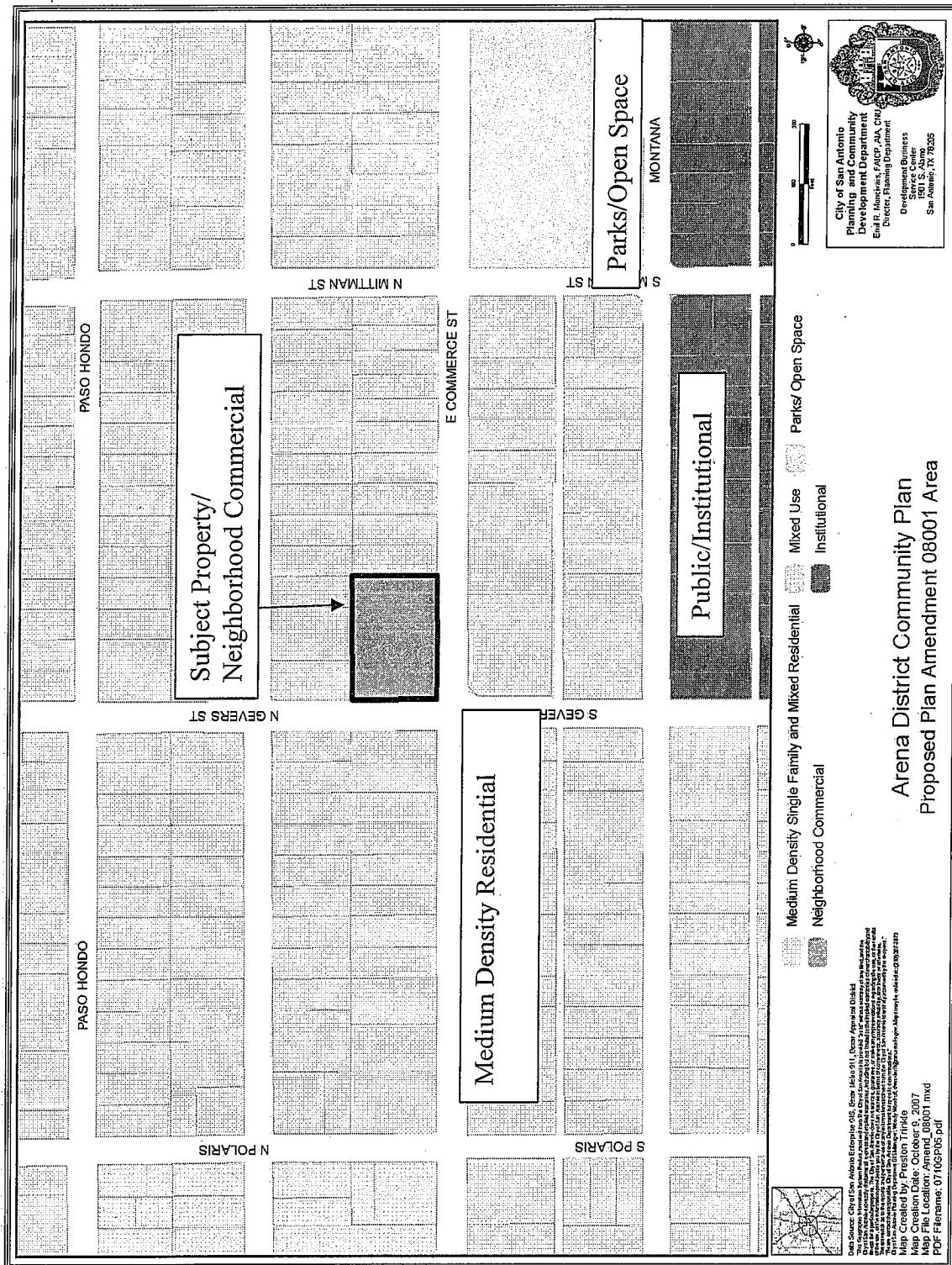
Arena District Community Plan
Adopted Plan Amendment 08001 Area

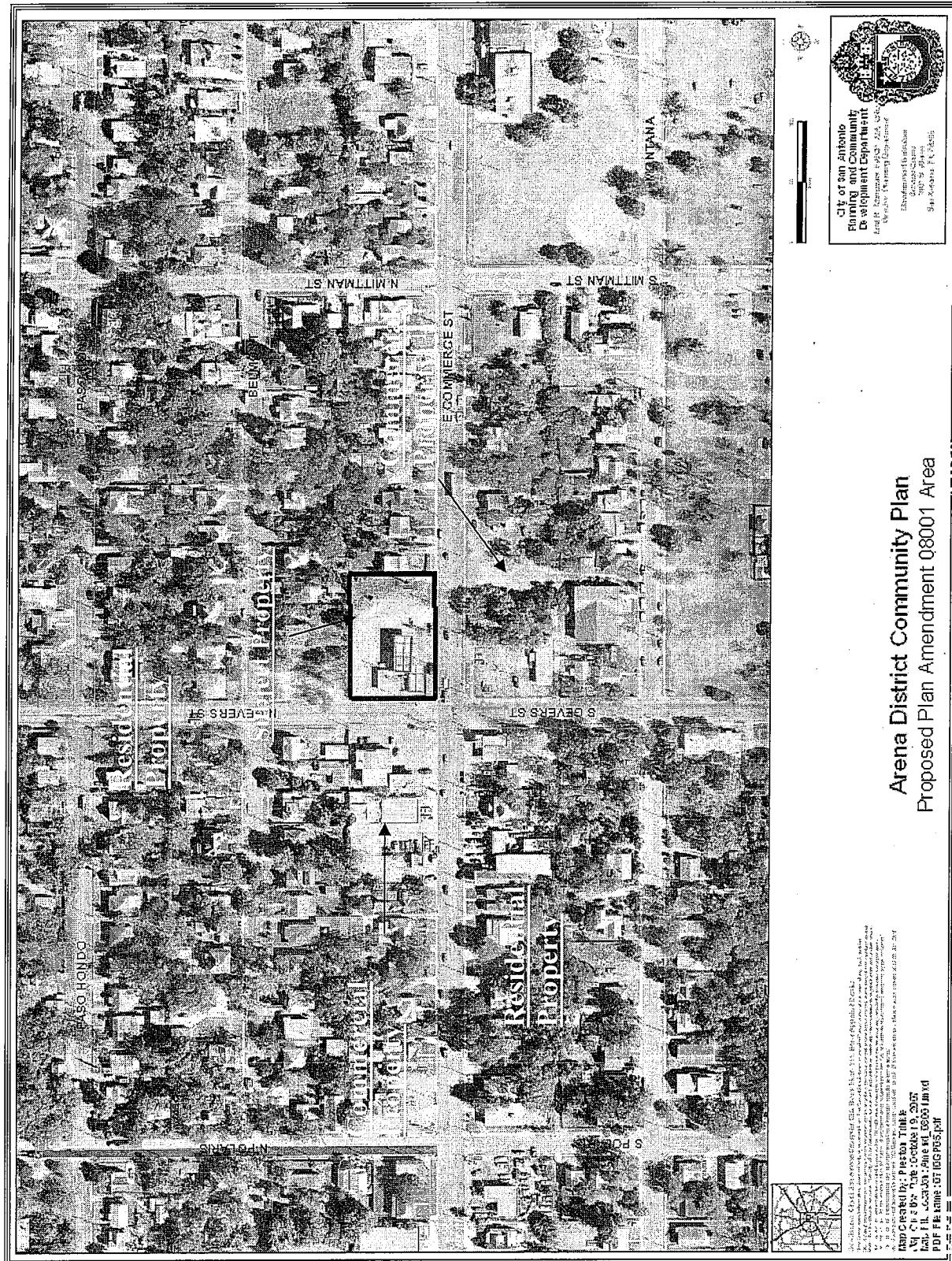


City of San Antonio
Planning and Community
Development Department
Eric R. Meeks, P.A.C., AIA, CIOB
Director, Planning Department
Development Business
Service Center
San Antonio, TX 78205

Map created by the City of San Antonio Planning and Community Development Department.
The map is intended for informational purposes only and is not a legal document. It is not to be used for surveying or engineering purposes. The map is subject to change without notice.
Map Creation Date: October 9, 2007
Map File Location: Annex 08001.lmx
PDF Filename: 0710GFCU.pdf

Proposed Amendment





RESOLUTION NO.

RECOMMENDING TO APPROVE THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE ARENA DISTRICT/EASTSIDE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM MEDIUM DENSITY RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE FOR AN AREA OF APPROXIMATELY 0.61 ACRES OUT OF NCB 1436 BLK 9 LOT 14, 15, 16 & 17.

WHEREAS, City Council approved the Arena District/Eastside Community Plan as an addendum to the Master Plan on December 4, 2003; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on February 27th, 2008 and **APPROVED** the amendment on February 27th; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the Arena District Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 27th DAY OF FEBRUARY 2008.

Approved:

Attest:

Murray H. Van Eman, Chairman
San Antonio Planning Commission

Executive Secretary
San Antonio Planning Commission

RESOLUTION NO.

RECOMMENDING TO DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE ARENA DISTRICT/EASTSIDE COMMUNITY PLAN A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM MEDIUM DENSITY RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE FOR AN AREA OF APPROXIMATELY 0.61 ACRES OUT OF NCB 1436 BLK 9 LOT 14, 15, 16 & 17.

WHEREAS, City Council approved the Arena District/Eastside Community Plan as an addendum to the Master Plan on December 4, 2003; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on February 27th, 2008 and **DENIED** the amendment on February 27th; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **INCONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the Arena District Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **DENIAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 27th DAY OF FEBRUARY 2008.

Approved:

Attest:

Murray H. Van Eman, Chairman
San Antonio Planning Commission

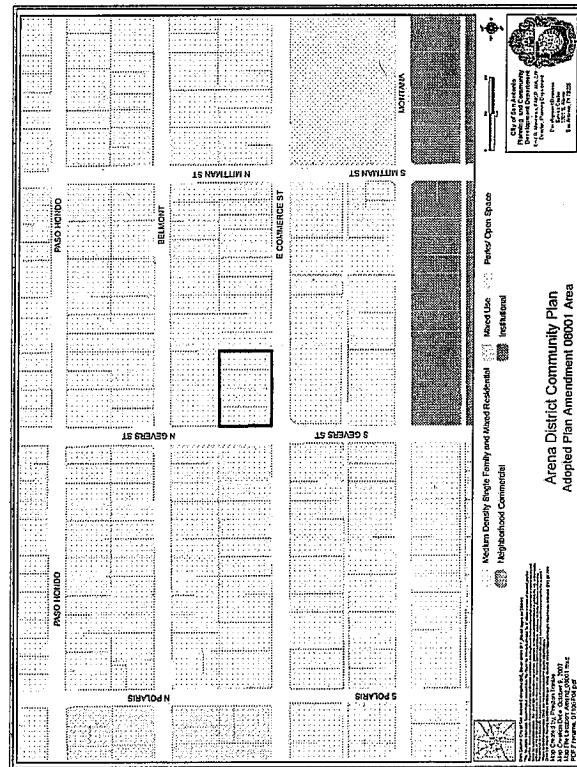
Executive Secretary
San Antonio Planning Commission

Master Plan Amendment 08001
Arena District/EastsidE
Community Plan

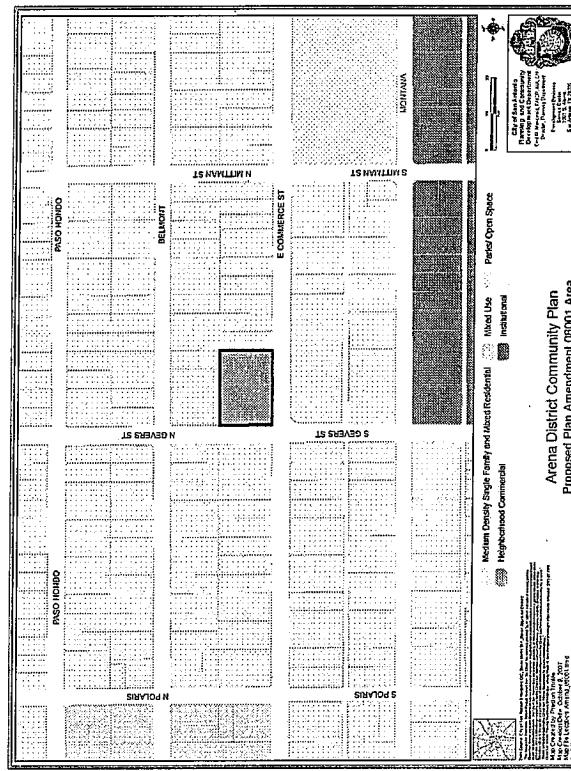
Planning Commission
February 27, 2008
Agenda Item No. 20

Amendment 08001

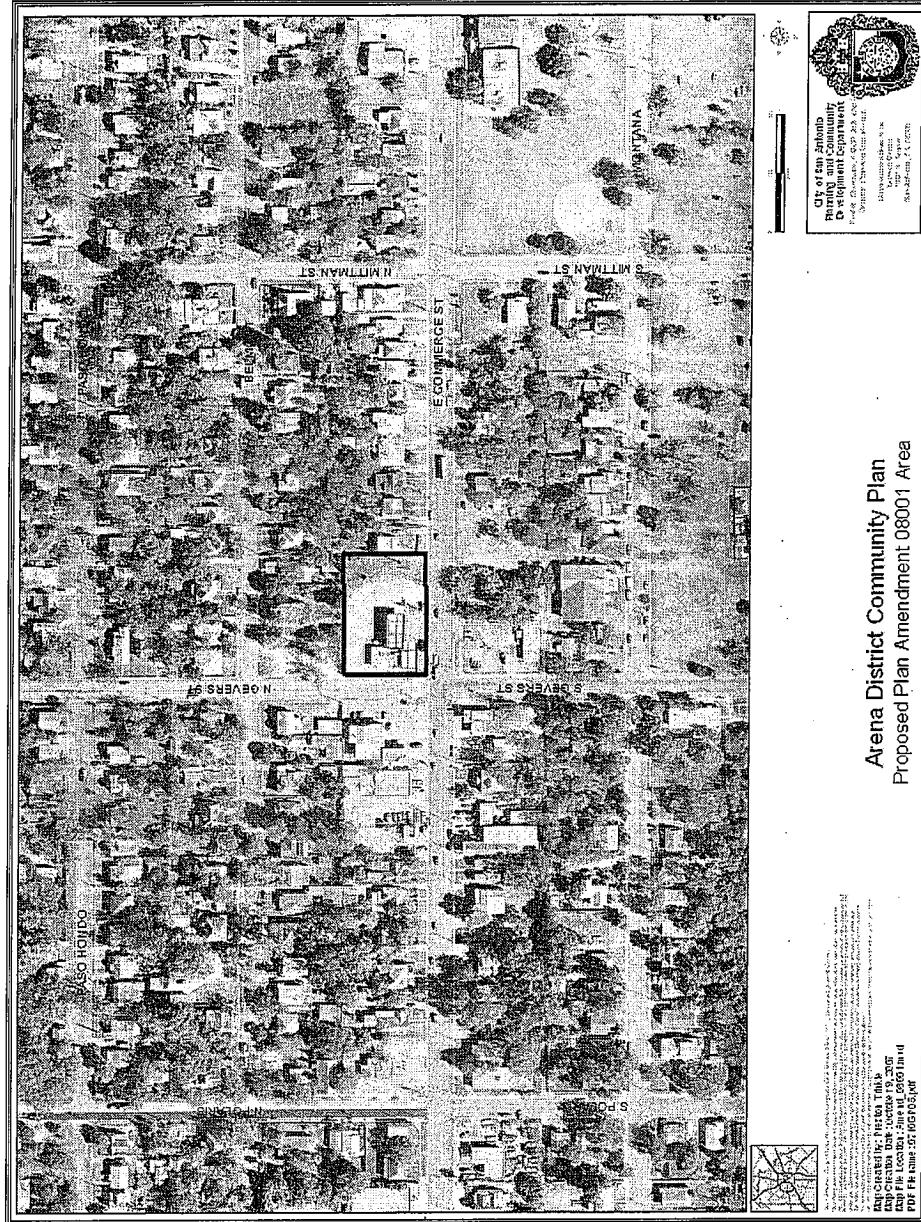
Plan as adopted:



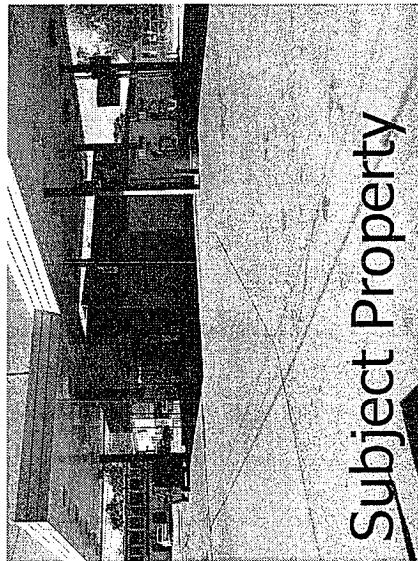
Proposed amendment:



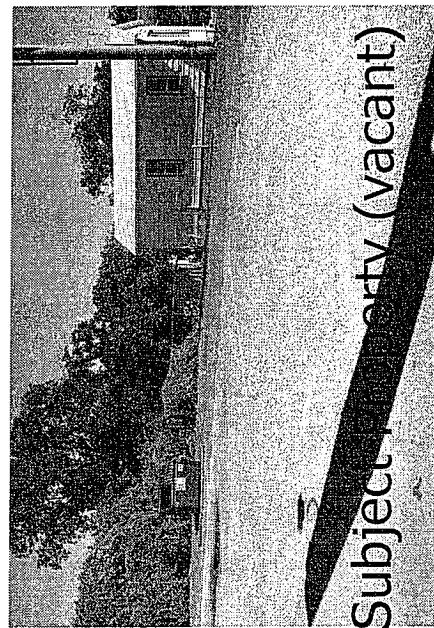
Land Use



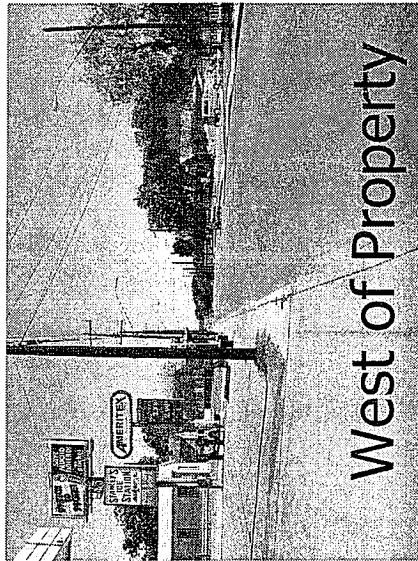
Subject Property



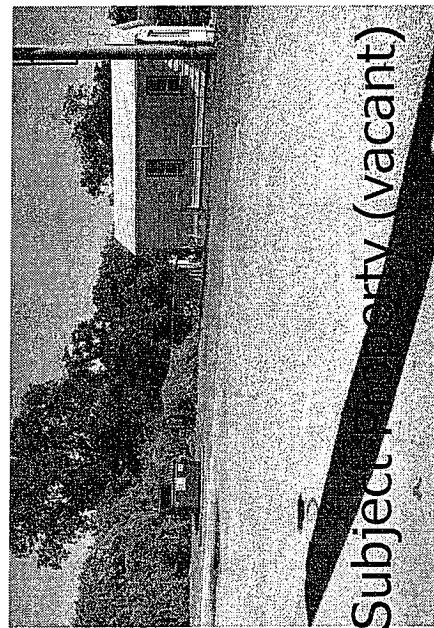
Subject Property



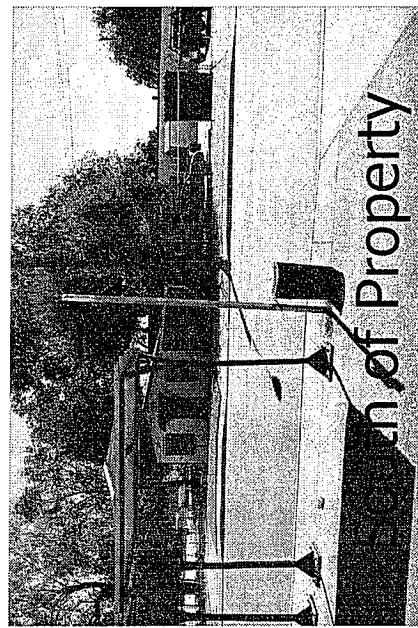
Subject Property (vacant)



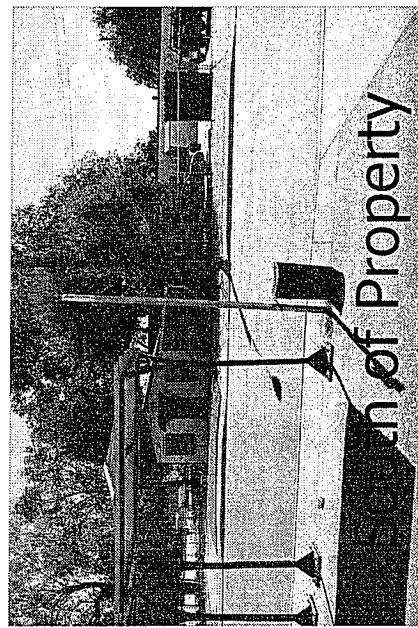
West of Property



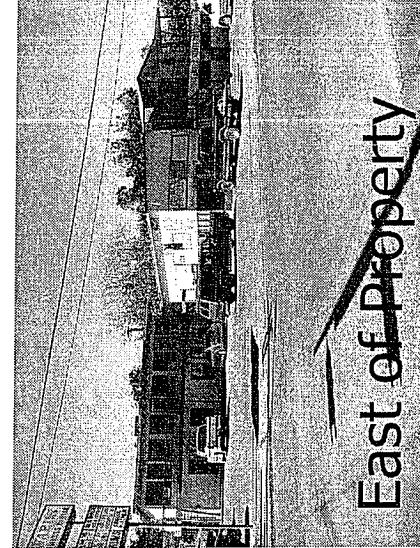
Subject Property



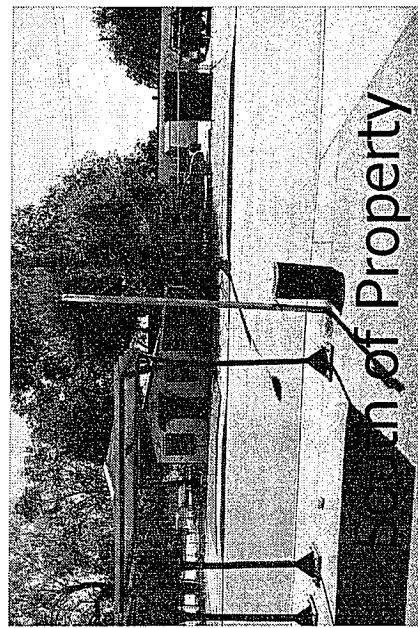
Adjacet to Property



East of Property



East of Property



Adjacet to Property

City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation

Plan Amendment Application Case No.: 08012

ITEM # 21

Council District: 1

City Council Meeting Date: 4/03/2008

Plan Amendment Map – Attachment 1
 Digital Ortho Image – Attachment 2

Summary:

Neighborhood/Community/Perimeter Plan: **North Central Neighborhoods Community Plan**
The applicant requests to amend the Land Use Plan designation from **Low Density Residential** to **Community Commercial**.

Background Information:

Applicant: Chavira, Jesus
Owner: Chavira, Jesus
Property Location: 866 Lee Hall
Acreage: 0.20
Current Land Use of site: Residential
Adjacent Land Uses:
N: Low Density Residential
E: Low Density Residential
S: Office
W: Commercial

Issue:

LAND USE ANALYSIS:

Definitions:

The North Central Neighborhoods Community Plan designates *Low Density Residential* land use for the subject parcel. Low Density Residential supports the principles of concentrating urban growth, reinforcing existing neighborhoods, and supporting residential growth within walking distance of neighborhood commercial centers and schools. This development should be oriented toward the center of the neighborhoods and away from traffic arterials. Low Density Residential areas are composed mainly of single family dwellings on individual lots.

The proposed Community Commercial development includes medium to high density land uses that draws its customer base from a larger community. This classification can include a mix of uses in the same building or in the same development. Community Commercial uses are typically located at nodes on arterials at major intersections, or in established commercial areas along arterials. Examples of Community Commercial uses include all Neighborhood Commercial uses, car washes, minor automobile repair and service, amusement establishments such as theaters, arcades and fitness centers, plant nurseries, exterminators, printers, sign shops, paint and wall paper stores, linen supply/diaper service, gasoline stations with repair service, fix-it shops, community shopping centers and small motels.

Analysis:

Goal 2 in the plan calls for an establishment of neighborhood friendly businesses along Blanco Rd. This business is a Tile Contractor business and does not qualify as a neighborhood friendly business as it is not a business serving the neighborhood. Businesses such as dry cleaners, banks, cafes, and neighborhood shopping centers qualify as neighborhood friendly.

City of San Antonio Planning and Community Development Department

Plan Amendment Recommendation

Goal 3 in the plan calls for the maintenance and preservation of the quality of the existing residential properties. Goal 4 states that there should be a buffer between commercial and residential properties. This is further explained in objective 4.1, where it is explicitly stated "to discourage encroachment of businesses into existing residential neighborhood". Since this property is located in an established neighborhood, where residential integrity is strong, a commercial use would contribute to encroachment on the neighborhood.

There are commercial uses west of the property on the other side of Blanco, which is in the Greater Dellview Neighborhood Plan. Blanco Rd. and Edison Dr. serve as a boundary between the residential and the commercial uses on Blanco Rd. The office use south of the subject property serves as a transitional use between existing commercial district and residential uses. This property is located within the neighborhood boundary and adjacent to the transitional use.

Upon visiting the subject property, it was noted that materials and machinery were being stored onsite. This storage use is intrusive to the neighbors and too intensive a use to be in a neighborhood.

In the plan, Community Commercial uses are preferred to be located along San Pedro Ave. and at major intersections of Blanco Rd. Most of the community commercial is located at intersections of major streets, thus creating nodes of commercial activity. The location in question is not at a major intersection nor would it create any type of commercial node. Placement of community commercial in that area would disrupt the neighborhood continuity and would not be what the plan envisioned for this area.

Minimal Impact Impact can be mitigated Significant Impact - Incompatible Land Use

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: Blanco Road is a Secondary Arterial Type B (70'- 86' ROW).

Other streets: Lee Hall is a residential street. A commercial use on this property could contribute to cut-thru traffic on residential streets.

Comments:

Minimal Impact Impact can be mitigated Significant Impact to Transportation Capacity

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: Edison High School is approximately 700 ft. south of the property. Rogers Middle School, St. John Evangelist, and San Antonio School for Inquiry and Creativity Schools are all within 3500 ft. of the property.

Comments:

Minimal Impact Impact can be mitigated Significant Impact to Community Facilities Capacity

Recommendation:

STAFF RECOMMENDATION:

City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation

Approval

Denial

Alternate Recommendation:

Comments:

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: Continued from February 13, 2008; February 27, 2008

Approval

Denial

Resolution Attached

Newspaper Publication Date of Public Hearing: 2/07/2008

No. Notices mailed 10 days prior to Public Hearing: 98

Registered Neighborhood Association(s) Notified: Edison, Los Angeles Heights, Shearer Hills-Ridgeview, Olmos Park Terrace, North Shearer Hills, and Northmoor

Comments:

ZONING COMMISSION SUPPLEMENTAL INFORMATION:

Current zoning district: R-6 S

Proposed zoning district: C-2 CD

Coordinating Zoning Case Number: Z2008079

Zoning Commission Public Hearing Date: 2/19/08

Approval

Denial

Planning Department Staff:

Patrick Howard, AICP

Assistant Planning Director

Nina Nixon-Mendez, AICP

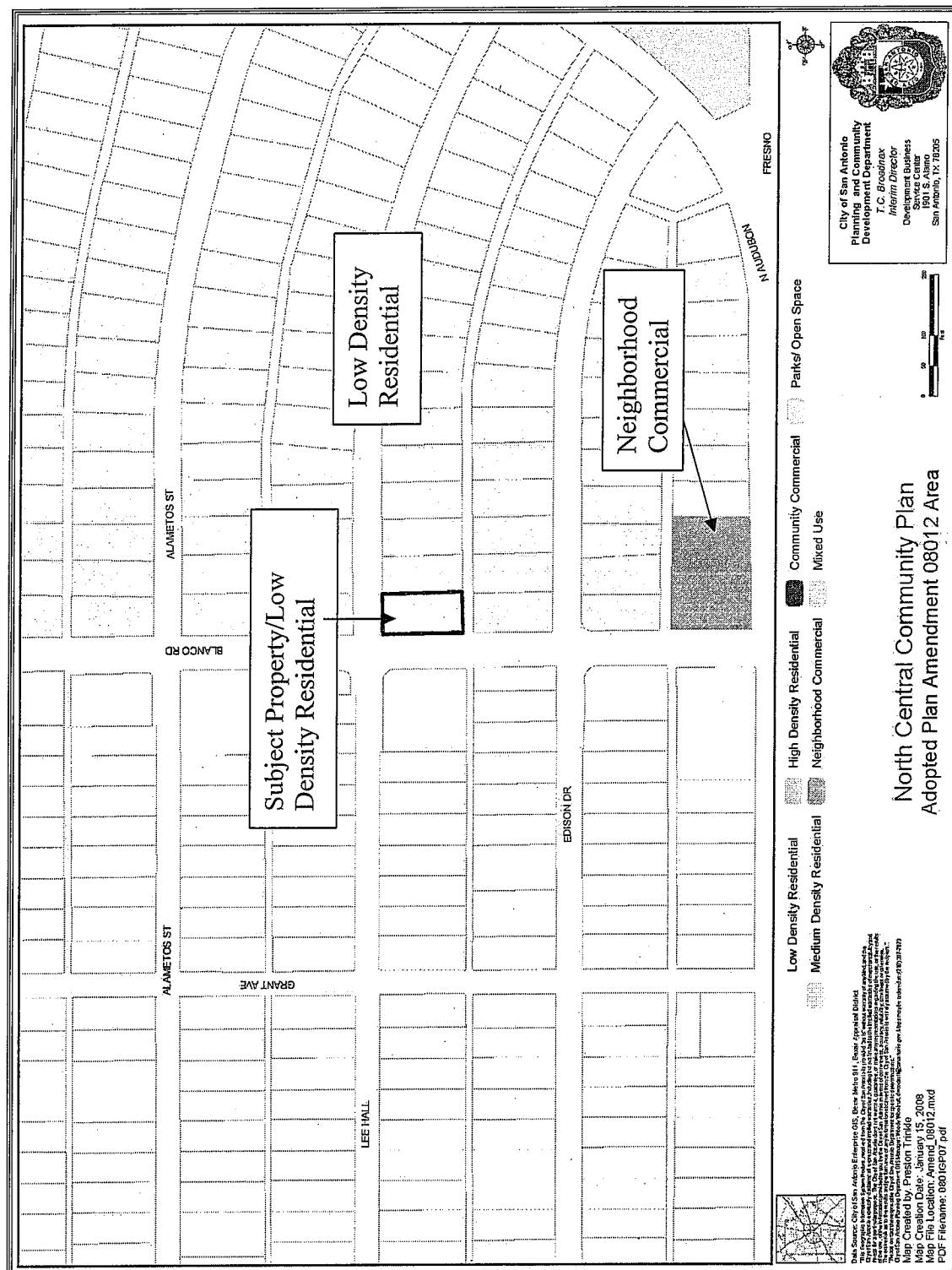
Planning Manager

Case Manager: Tamara Palma

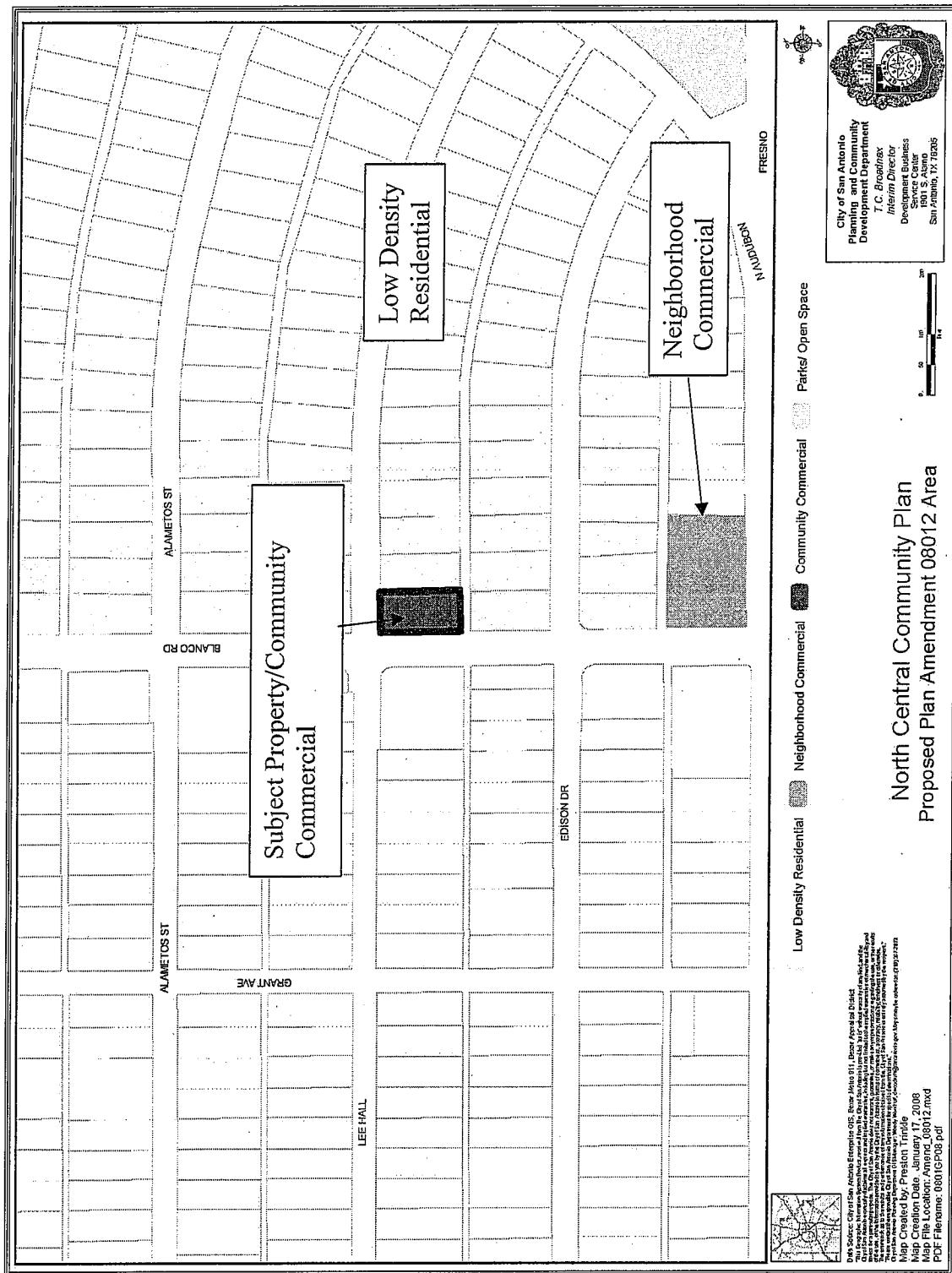
Planner

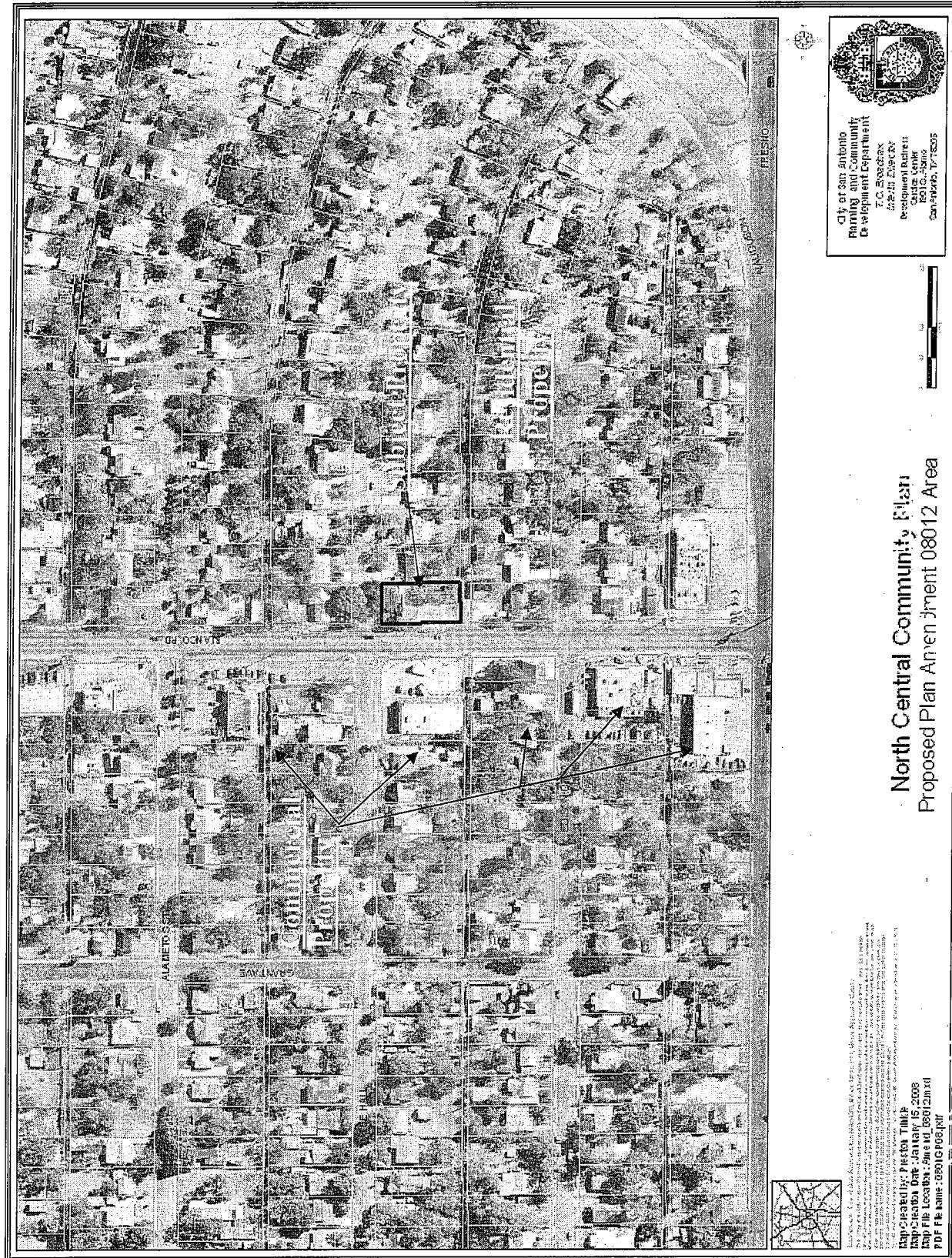
Phone No.: 207-7909

Land Use Plan as adopted:



Proposed Amendment





RESOLUTION NO.

RECOMMENDING TO APPROVE / DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE NORTH CENTRAL NEIGHBORHOODS COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM LOW DENSITY RESIDENTIAL LAND USE TO COMMUNITY COMMERCIAL LAND USE FOR AN AREA OF APPROXIMATELY 0.2 ACRES OUT OF NCB 9215 BLK 12 LOT 29 LOCATED AT 866 LEE HALL.

WHEREAS, City Council approved the North Central Neighborhoods Community Plan as an addendum to the Master Plan on February 14, 2002; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on February 13th, 2008 and **APPROVED** the amendment on February 13th; and

WHEREAS, the San Antonio Planning Commission made a finding that _____ ; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the North Central Neighborhoods Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 13th DAY OF FEBRUARY 2008.

Approved:

Attest:

Murray H. Van Eman, Chairman
San Antonio Planning Commission

Executive Secretary
San Antonio Planning Commission

RESOLUTION NO.

RECOMMENDING TO APPROVE / DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE NORTH CENTRAL NEIGHBORHOODS COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM LOW DENSITY RESIDENTIAL LAND USE TO COMMUNITY COMMERCIAL LAND USE FOR AN AREA OF APPROXIMATELY 0.2 ACRES OUT OF NCB 9215 BLK 12 LOT 29 LOCATED AT 866 LEE HALL.

WHEREAS, City Council approved the North Central Neighborhoods Community Plan as an addendum to the Master Plan on February 14, 2002; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on February 13th, 2008 and **DENIED** the amendment on February 13th; and

WHEREAS, the San Antonio Planning Commission made a finding that _____

; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **INCONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the North Central Neighborhoods Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **DENIAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 13th DAY OF FEBRUARY 2008.

Approved:

Attest:

Murray H. Van Eman, Chairman
San Antonio Planning Commission

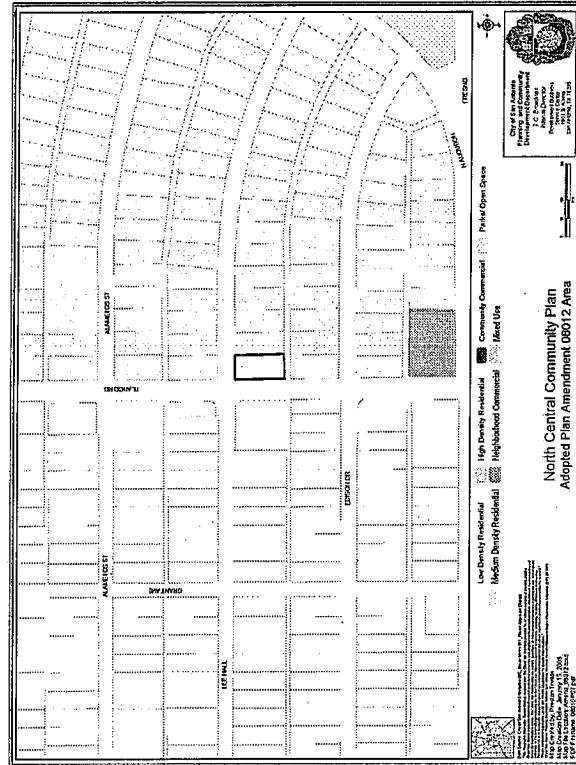
Executive Secretary
San Antonio Planning Commission

Master Plan Amendment 08012
North Central Neighborhoods
Community Plan

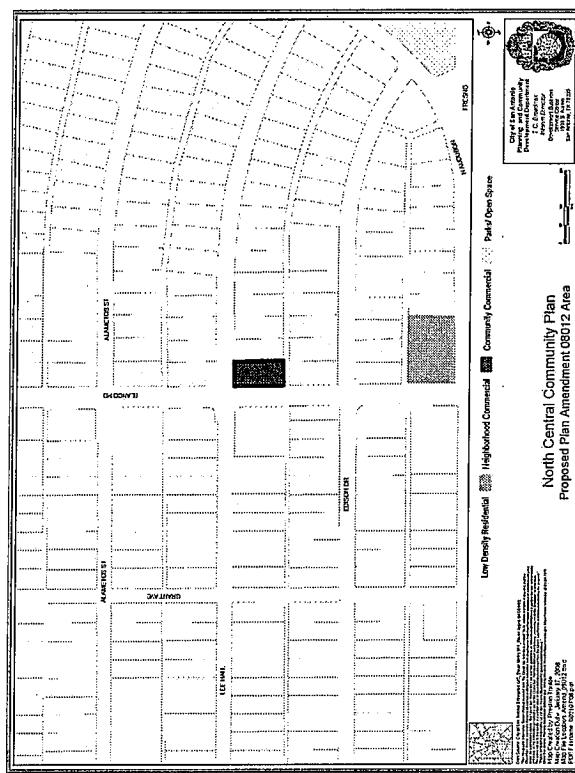
Planning Commission
February 27, 2008
Agenda Item No. 21

Amendment 08012

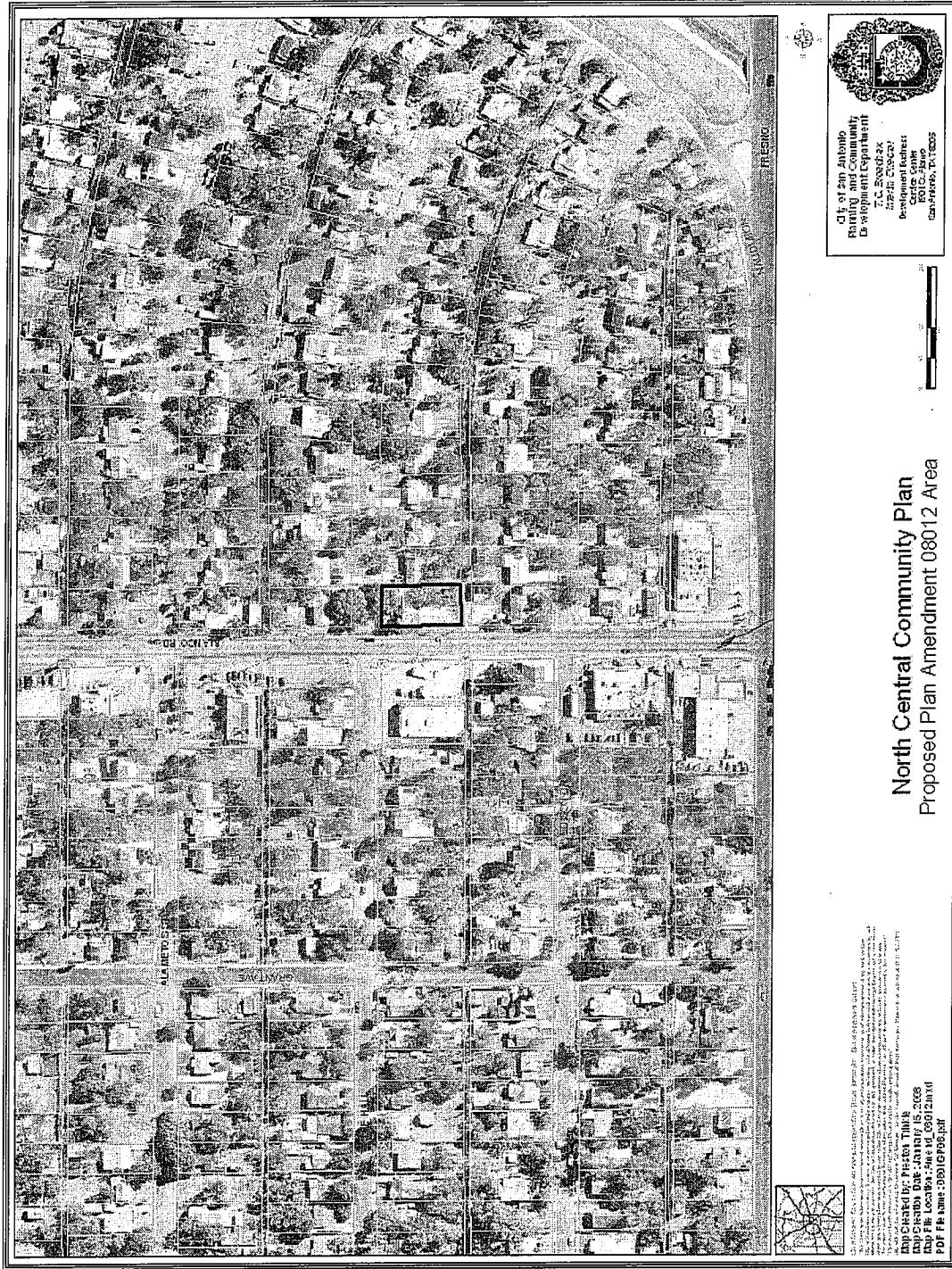
Plan as adopted:



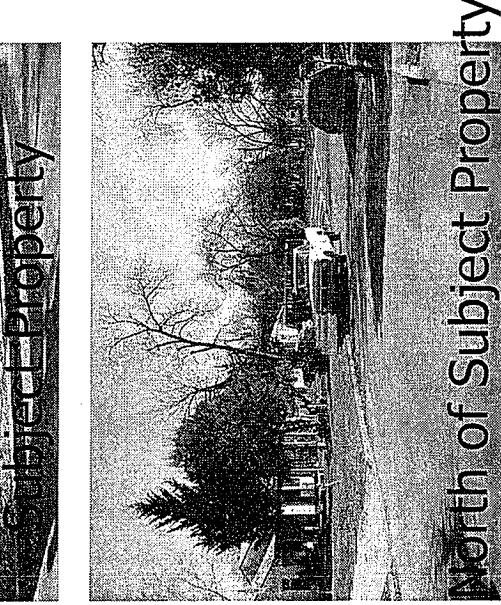
Proposed amendment:



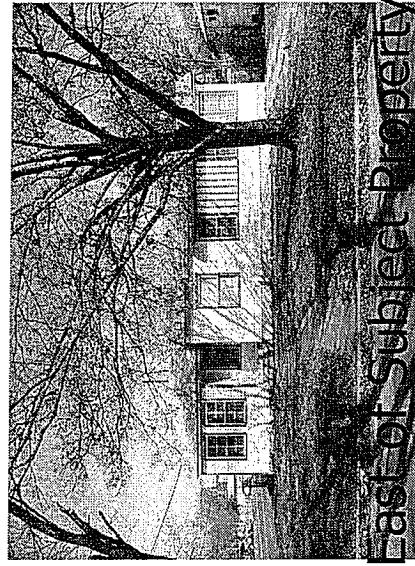
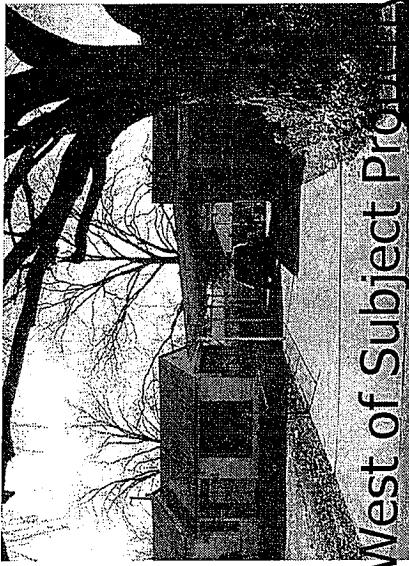
Land Use



Subject Property



North of Subject Property



West of Subject Property

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

Plan Amendment Application Case No.: 08014

ITEM #22

Council District: 5

City Council Meeting Date: 3/20/2008

- Plan Amendment Map – Attachment 1
 Digital Ortho Image – Attachment 2

Summary:

Neighborhood/Community/Perimeter Plan: **Downtown**

The applicant requests to amend the Land Use Plan designation from **Residential** to **Mixed Use**.

Background Information:

Applicant: Janice Wagley

Owner: Janice Wagley

Property Location: 1309 W. Houston

Acreage: 0.1463

Current Land Use of site: Residential

Adjacent Land Uses:

- N: Low Density Residential
E: Vacant (zoned Residential)
S: Low Density Residential
W: Low Density Residential

Issue:

DEFINITIONS:

Residential Use: The Downtown Neighborhood Plan provides a general definition of the Residential land use category. Residential uses may include single family, multifamily, and mixed use activities.

Mixed Use: Extracted from the Downtown Neighborhood Plan, “a mixed use building contains residential and retail and/or office uses within multiple floors.” The Mixed Use land use designation provides for a concentrated blend of residential, retail, professional service, office, entertainment, leisure and other related uses at increased densities to create a pedestrian-oriented environment.

LAND USE ANALYSIS:

The subject property is located at 1309 W. Houston Street, is the third residential lot in from San Marcos Street and is located in a residential community. The existing structure once served as a residential home and the applicant is now requesting to transform the house to a bail bonds commercial service. The current land use designation of the subject property is Residential, which is consistent with the current and proposed land uses.

Adjacent uses to the subject property include residential to the north, south, east and west. The Bexar County Jail Complex is located one block to the east. There are some mixed uses such as bail bonds and law offices that front San Marcos Street; however the interior residential uses remain consistent with the current and future land use. Approval of this request would allow commercial encroachment into the residential neighborhood.

Minimal Impact

Impact can be mitigated

Significant Impact - Incompatible Land Use

City of San Antonio Planning and Community Development Department Plan Amendment Recommendation

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Parking for the proposed bail bonds may pose a problem since there is only room for four parking spaces. There may also be a negative traffic impact to the residential street.

Comments:

Minimal Impact Impact can be mitigated Significant Impact to Transportation Capacity

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: Bexar County Jail Complex

Comments: Subject property is located one block to the west of the Bexar County Jail

Minimal Impact Impact can be mitigated Significant Impact to Community Facilities Capacity

Recommendation:

STAFF RECOMMENDATION:

Approval Denial Alternate Recommendation:

Comments: The proposed Land Use change request from Residential to Mixed Use would encourage commercial encroachment into the neighborhood.

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: February 27, 2008 (continued from February 13, 2008 hearing)

Approval Denial Resolution Attached

Newspaper Publication Date of Public Hearing: 1/14/2008

No. Notices mailed 10 days prior to Public Hearing: 165

Registered Neighborhood Association(s) Notified: Prospect Hill

Comments: 0

ZONING COMMISSION SUPPLEMENTAL INFORMATION:

Current zoning district: MF-33

Proposed zoning district: C-2

Zoning Commission Public Hearing Date: January 15, 2008

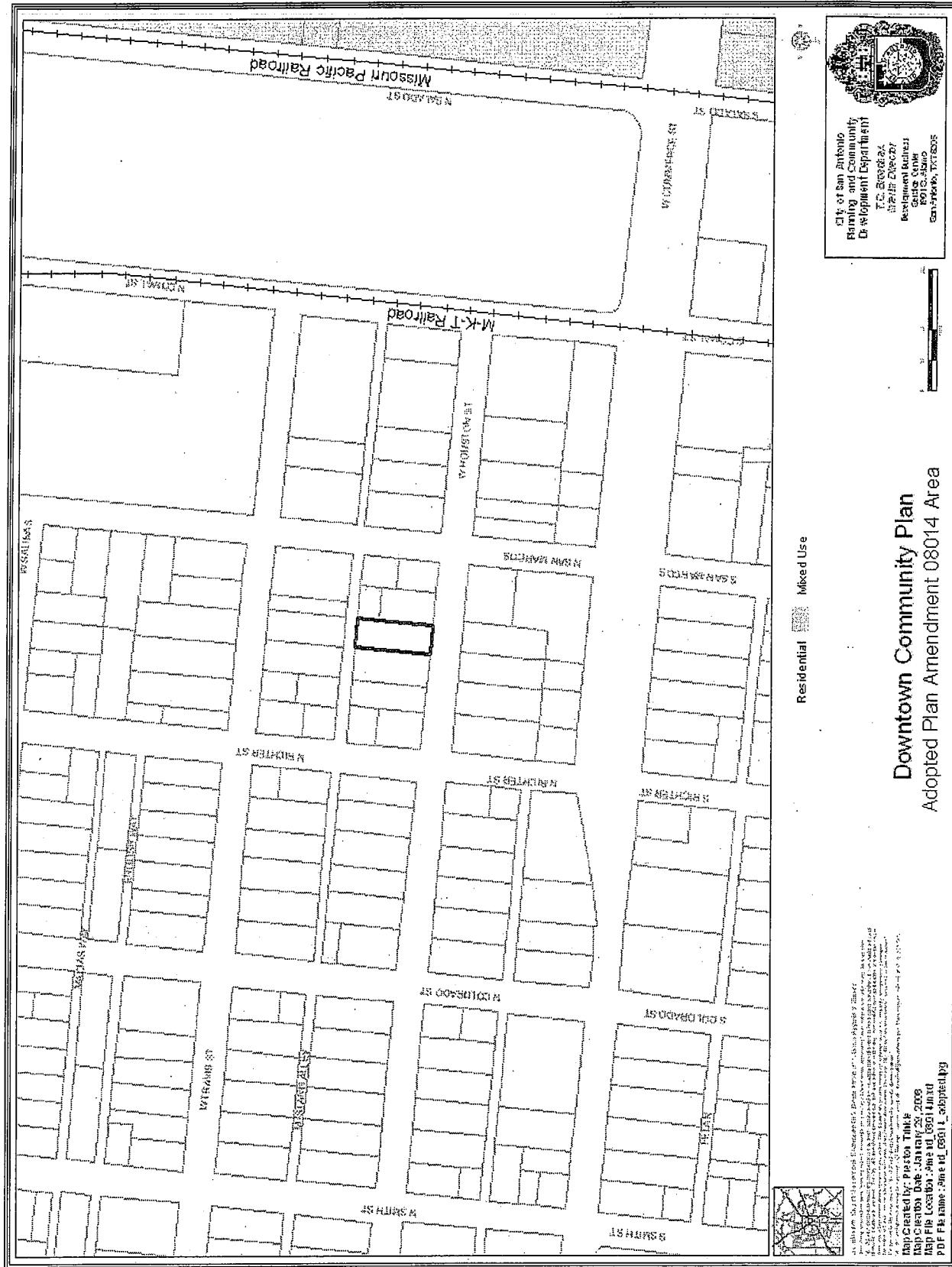
Approval Denial

Planning Department Staff:

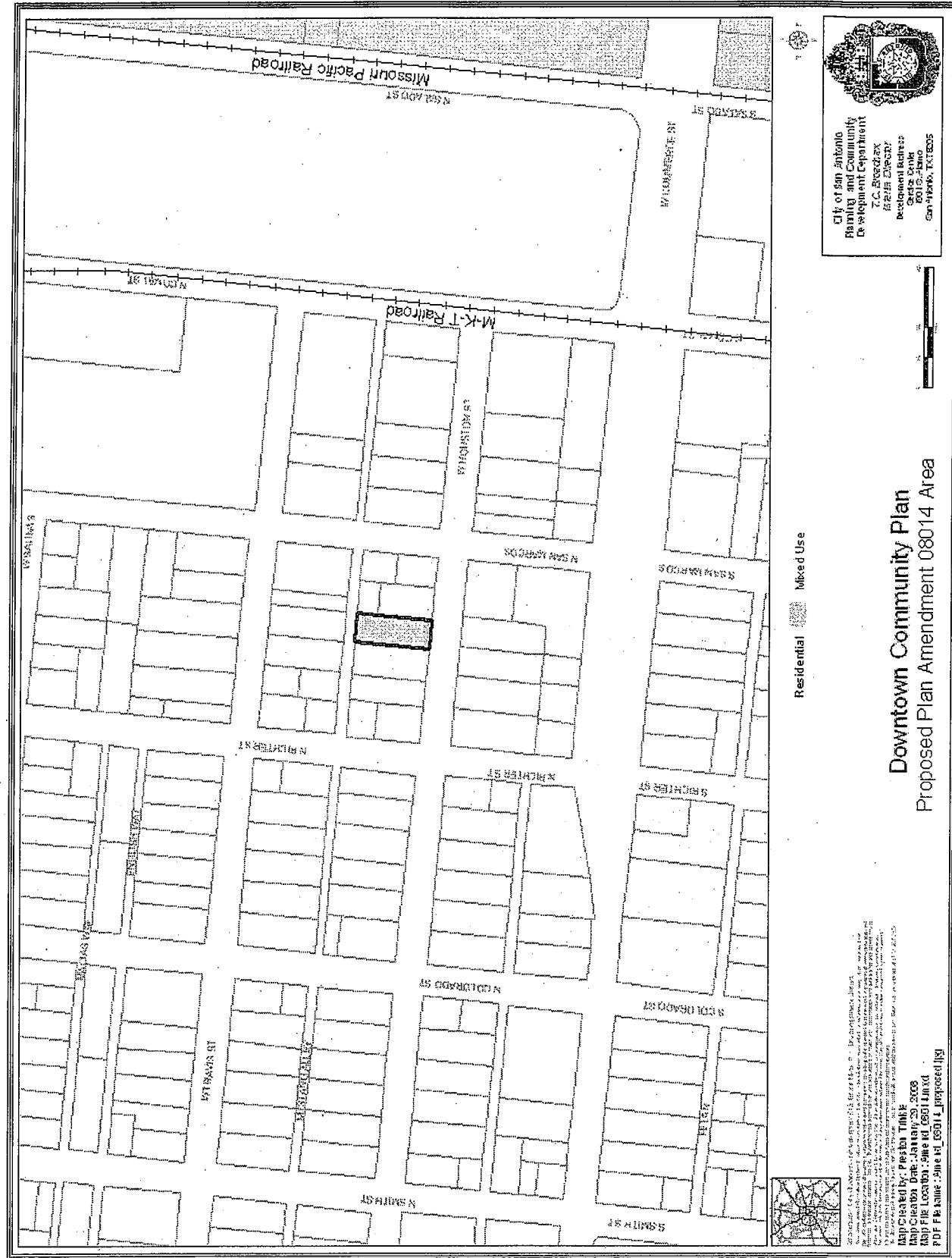
Nina Nixon-Mendez, AICP
Case Manager: Sidra Maldonado

Land Use Plan as Adopted:

Attachment 1

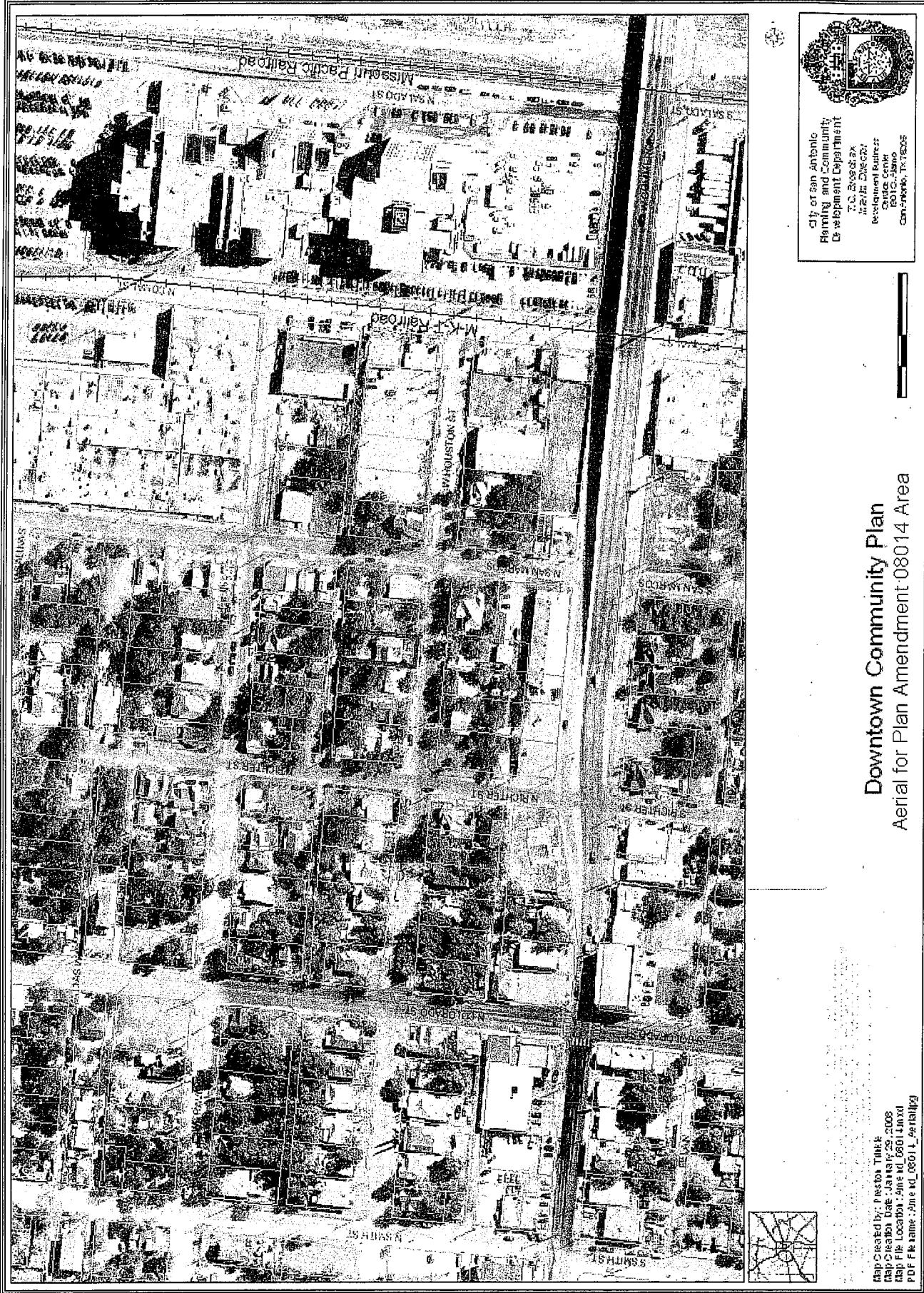


Proposed Amendment



Downtown Community Plan Proposed Plan Amendment 08014 Area

Map showing the proposed amendment area in the downtown San Antonio, Texas, area. The map displays a grid of streets and property parcels. Key features include the Missouri Pacific Railroad running diagonally across the top, the M-K-T Railroad running horizontally through the center, and several major streets labeled: N. Main St., N. Navarro St., N. Pecan St., N. Presa St., N. San Jacinto St., N. Zarzuelo St., W. Commerce St., W. Houston St., and W. Commerce St. (repeated). The map also includes labels for 'VANCOUVER' and 'MONTGOMERY'. A legend in the bottom right corner identifies 'Residential' with a house icon and 'Mixed Use' with a mixed-use building icon. In the top right corner, there is a box containing the City of San Antonio Planning and Community Development Department logo and contact information: 712 E. BROADWAY, SUITE 200, SAN ANTONIO, TX 78205, and a scale bar indicating distances up to 1/4 mile. A small circular stamp in the bottom right corner reads 'MAPS BY THE CITY OF SAN ANTONIO'.



RESOLUTION NO.

RECOMMENDING TO APPROVE / DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE DOWNTOWN NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM RESIDENTIAL LAND USE TO MIXED USE LAND USE FOR AN AREA OF APPROXIMATELY 0.1463 ACRES LOCATED AT 1309 W. HOUSTON.

WHEREAS, City Council approved the Downtown Neighborhood Plan as an addendum to the Master Plan on May 13, 1999; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on February 27, 2008 and **APPROVED / DENIED** the amendment on February 27th; and

WHEREAS, the San Antonio Planning Commission made a finding that _____

; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT / INCONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the Downtown Neighborhood Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL / DENIAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 27th DAY OF FEBRUARY 2008.

Approved:

Attest:

Murray H. Van Eman, Chairman
San Antonio Planning Commission

Executive Secretary
San Antonio Planning Commission

Master Plan Amendment 08014

Downtown Neighborhood Plan

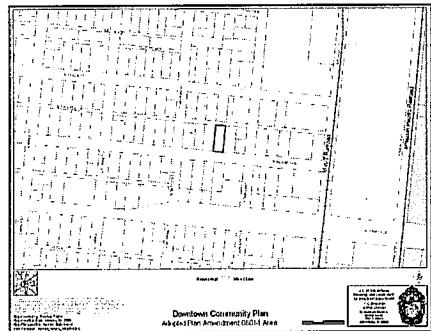
Planning Commission

February 27, 2008 (continued from February 13th)

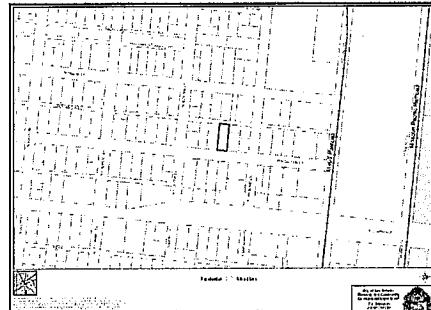
Agenda Item No.

Amendment 08014

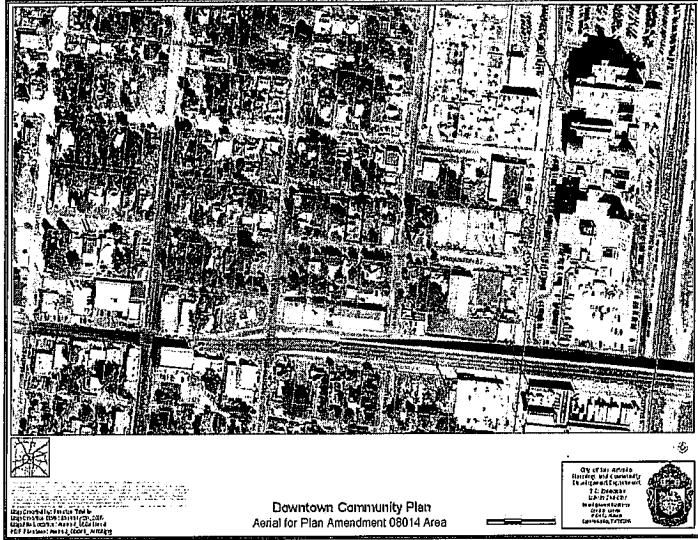
Plan as adopted:



Proposed amendment:



Land Use



3

City of San Antonio Planning and Community Development Department

Plan Amendment Recommendation

Plan Amendment Application Case No.: 08015

ITEM # 23

Council District: 3

City Council Meeting Date: 4/3/2008

- Plan Amendment Map – Attachment 1
- Digital Ortho Image – Attachment 2

Summary:

Neighborhood/Community/Perimeter Plan: **Highlands Community Plan**

The applicant requests to amend the Land Use Plan designation from **Low Density Residential** to **Neighborhood Commercial**.

Background Information:

Applicant: David Torres

Owner: Jerry V. Torres

Property Location: 143 Cosgrove St.

Acreage: .1389

Current Land Use of site: Vacant

Adjacent Land Uses:

N: Residential

E: Commercial

S: Office

W: Residential

Issue:

LAND USE ANALYSIS:

The Highlands Community Plan Land Use plan designates the subject property as Low Density Residential. Low Density Residential uses include single-family houses on individual lots. All off-street parking and vehicle use areas adjacent to residential uses require buffer landscaping, lighting, and signage controls. The applicant is requesting changing the land use classification from Low-Density Residential to Neighborhood Commercial. The Neighborhood Commercial classification contained in the Community Plan gives several different examples of appropriate uses in areas that fall under this classification. Such uses include coffee shops, cafes, delis, bakeries, and other uses as well. The Land Use Classification contained in the plan also contains several recommendations that are intended to minimize negative impacts on the surrounding community. These recommendations include a limit on the maximum size of the building, windows on the ground level, location of parking areas, and screening of service entries and yards as well as location and screening for refuse enclosures. The applicant is requesting Neighborhood Commercial zoning in an associated re-zoning request which will provide additional safeguards for adjacent residential properties. Site plan review will be required to ensure conformance with the zoning requirements.

Action Step 1.4.3 of the Highlands Community Plan recommends preservation of the small town feeling of the neighborhood commercial areas by encouraging neighborhood friendly businesses within walking distance of residences. The subject property is an existing restaurant located immediately adjacent to residential properties and is accessible by pedestrians.

- Minimal Impact
- Impact can be mitigated
- Significant Impact - Incompatible Land Use

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: None.

Other streets: Gevers serves as a collector; Cosgrove St. is a local residential street

City of San Antonio Planning and Community Development Department

Plan Amendment Recommendation

Comments:

Minimal Impact Impact can be mitigated Significant Impact to Transportation Capacity

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: None

Comments:

Minimal Impact Impact can be mitigated Significant Impact to Community Facilities Capacity

Recommendation:

STAFF RECOMMENDATION:

Approval Denial Alternate Recommendation:

Comments: The proposed amendment is compatible since it expands the existing neighborhood commercial district along Gevers. This expansion will facilitate off-street parking for the existing restaurant.

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: February 27, 2008

Approval Denial Resolution Attached

Newspaper Publication Date of Public Hearing: 2/15/2008

No. Notices mailed 10 days prior to Public Hearing: 31

Registered Neighborhood Association(s) Notified: Highland Park, Highland Hills, Pecan Valley, Southeast Citizens Committee,

Comments:

ZONING COMMISSION SUPPLEMENTAL INFORMATION:

Current zoning district: R-4

Proposed zoning district: NC

Zoning Commission Public Hearing Date: March 4, 2008

Approval Denial

Planning Department Staff:

Patrick Howard AICP

Assistant Planning Director

Nina Nixon-Mendez, AICP

Planning Manager

Case Manager: Tyler Sorrells

Planner

Phone No.: 207-7395

VANDERBILT

GREER ST

S MITTMAN ST

COSGROVE ST

S GEVERS ST

GREER ST

COSGROVE ST

CHANNING

NOPAL ST

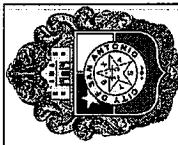
GREER ST

STANFIELD

HANNA

Low Density Residential
Medium Density Residential

Parks/ Open Space
Mixed Use
Public Institutional

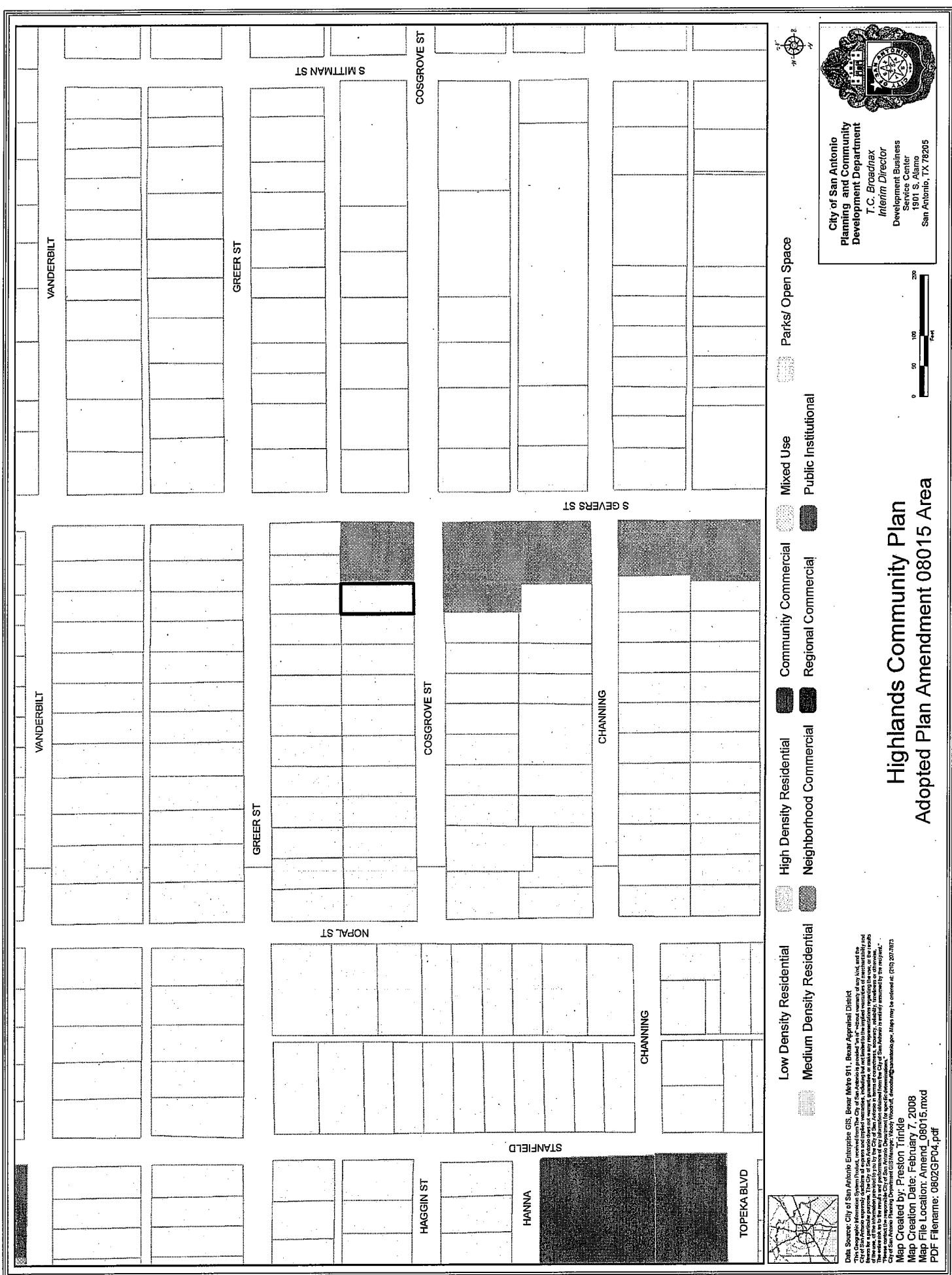


City of San Antonio
Planning and Community
Development Department
T.C. Broadnax
Interim Director
Development Business
Service Center
1901 S. Alamo
San Antonio, TX 78205

Highlands Community Plan Proposed Plan Amendment 08015 Area

Data Source: City of San Antonio Enterprise GIS, Bexar Appraisal District.
City of San Antonio Enterprise GIS is a system of geographic information systems (GIS) used by the City of San Antonio to store and analyze spatial data. It includes data from various departments and external sources, such as the Texas General Land Office, the Texas Water Commission, and the Texas Parks and Wildlife Department. The City of San Antonio uses this system to support various city functions, including planning, zoning, and permitting. The data is subject to regular updates and may not reflect the most current information available from these external sources. The City of San Antonio does not guarantee the accuracy or completeness of the data contained in the system. The user is responsible for determining the suitability of the data for their specific needs.

Map Created by: Preston Trimble
Map Creation Date: February 7, 2008
Map File Location: Amend_08015.mxd
PDF Filename: 0802GP05.pdf



RESOLUTION NO.

RECOMMENDING TO APPROVE THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE HIGHLANDS COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL LAND USE FOR APPROXIMATELY 0.13 ACRES GENERALLY LOCATED AT 3119 S. GEVERS MORE SPECIFICALLY DESCRIBED BY LEGAL DESCRIPTION NCB 2946 BLK 8 LOT 16

WHEREAS, City Council approved the Highlands Community Plan Update as an addendum to the Master Plan in April, 2002; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on February 27, 2008 and **APPROVED** the amendment on February 27, 2008; and

WHEREAS, the San Antonio Planning Commission made a finding that _____ ; and _____

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT / INCONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the South Central Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL / DENIAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 27th DAY OF FEBURARY 2008.

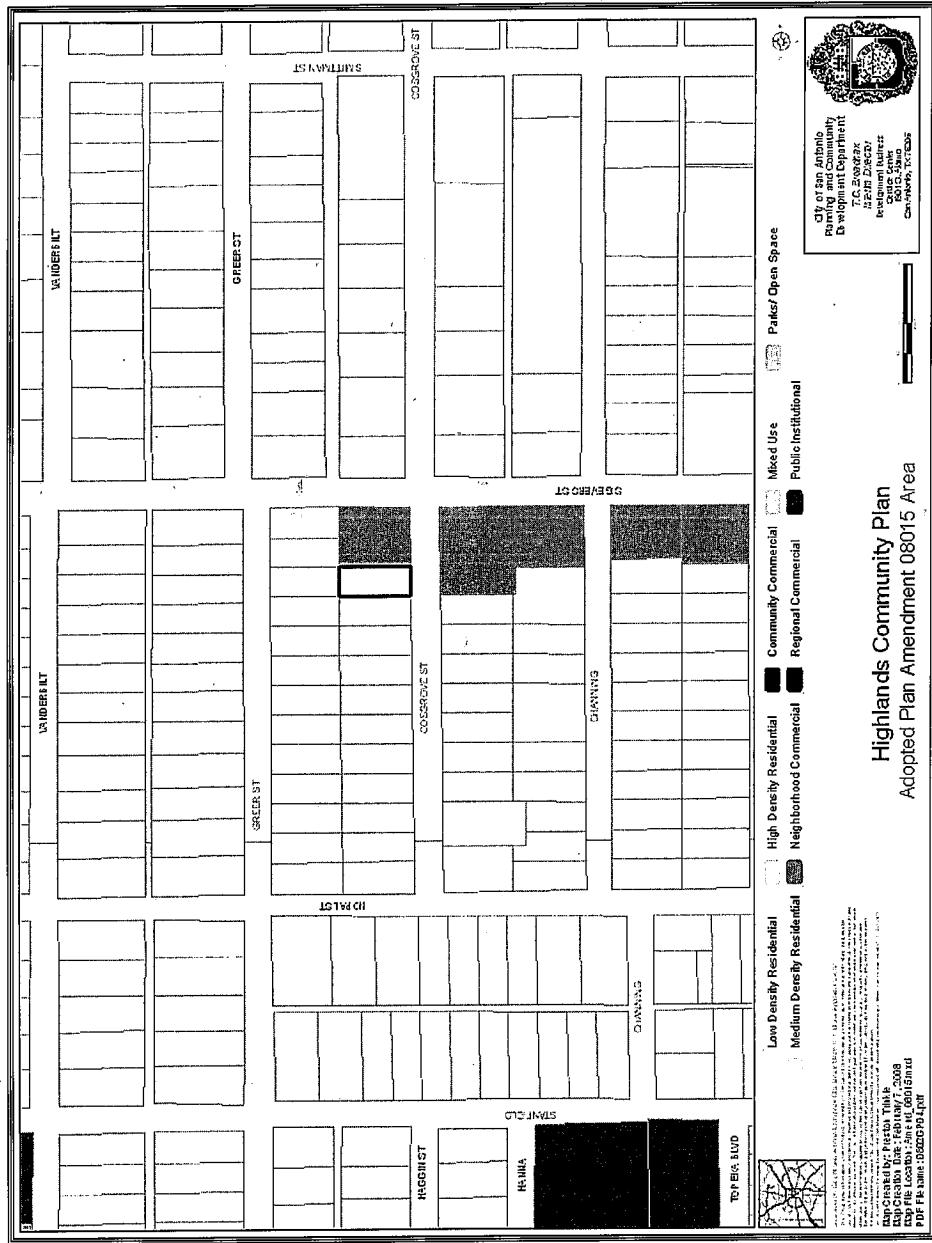
Approved:

Murray H. Van Eman, Chairman
San Antonio Planning Commission

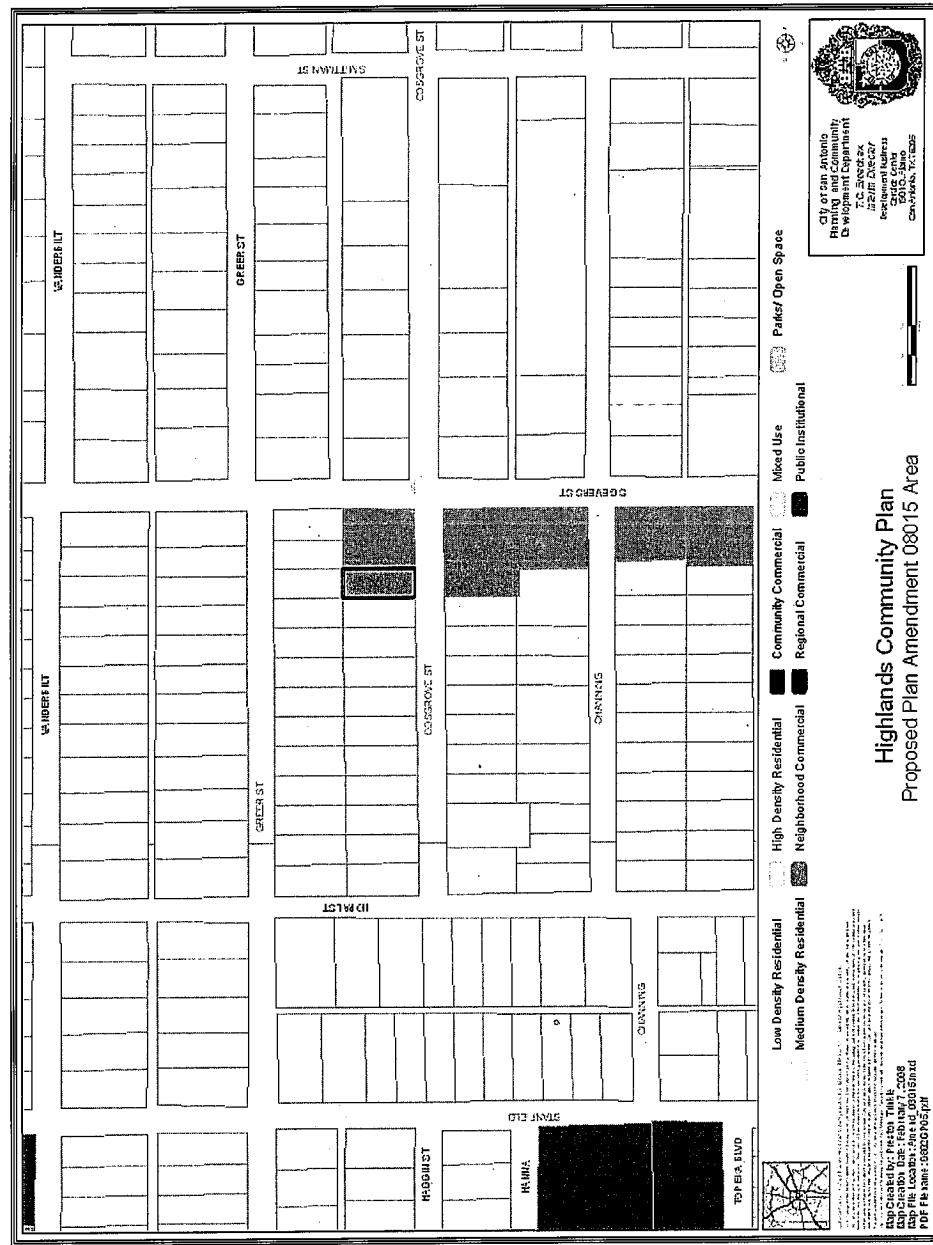
Attest:

Executive Secretary
San Antonio Planning Commission

ATTACHMENT I
Land Use Plan as adopted:



ATTACHMENT II
Proposed Amendment:



RESOLUTION NO.

RECOMMENDING TO DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE HIGHLANDS COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL LAND USE FOR APPROXIMATELY 0.13 ACRES GENERALLY LOCATED AT 3119 S. GEVERS MORE SPECIFICALLY DESCRIBED BY LEGAL DESCRIPTION NCB 2946 BLK 8 LOT 16

WHEREAS, City Council approved the Highlands Community Plan Update as an addendum to the Master Plan in April, 2002; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on February 27, 2008 and **DENIED** the amendment on February 27, 2008; and

WHEREAS, the San Antonio Planning Commission made a finding that _____ ; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT / INCONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the South Central Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL / DENIAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 27th DAY OF FEBURARY 2008.

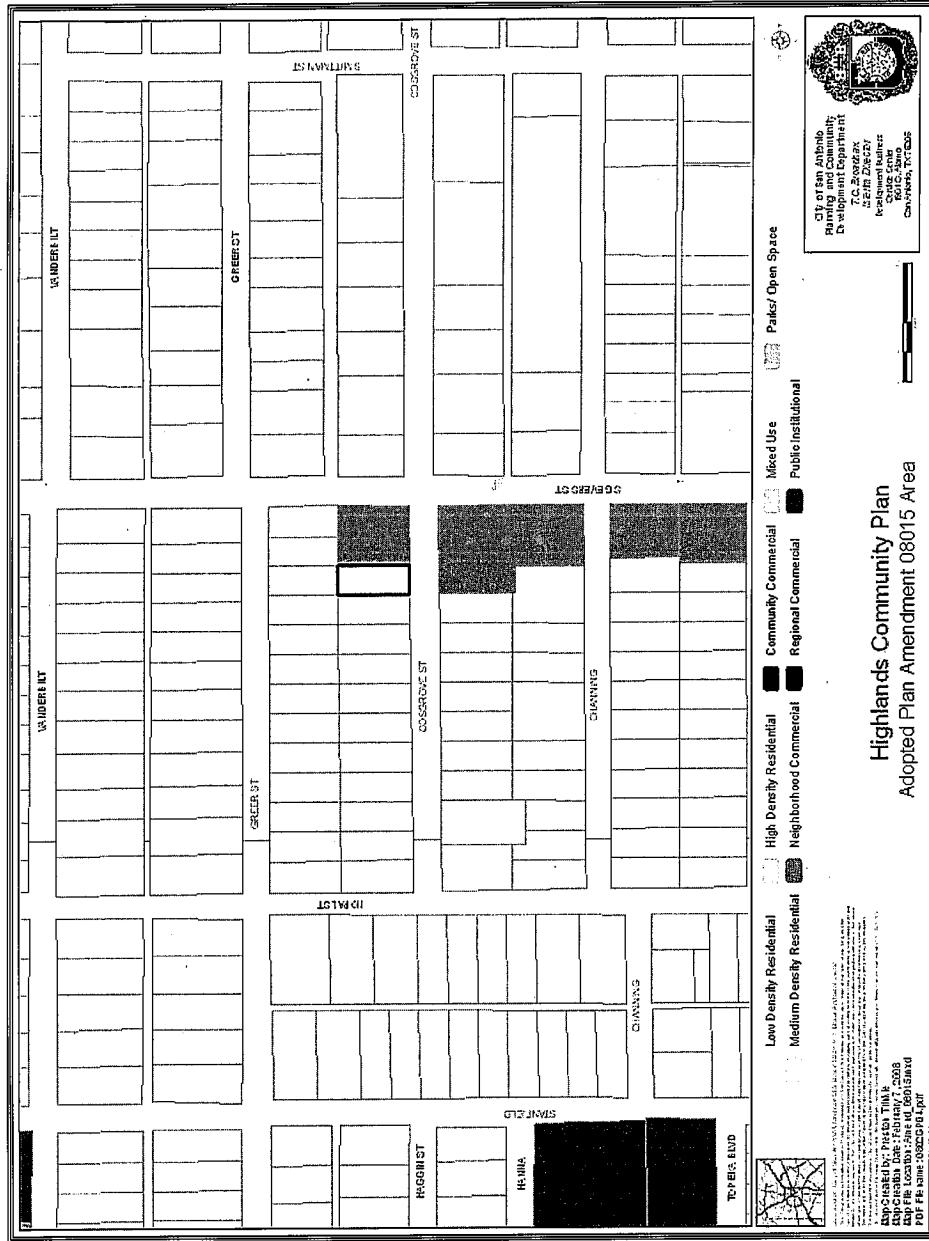
Approved:

Murray H. Van Eman, Chairman
San Antonio Planning Commission

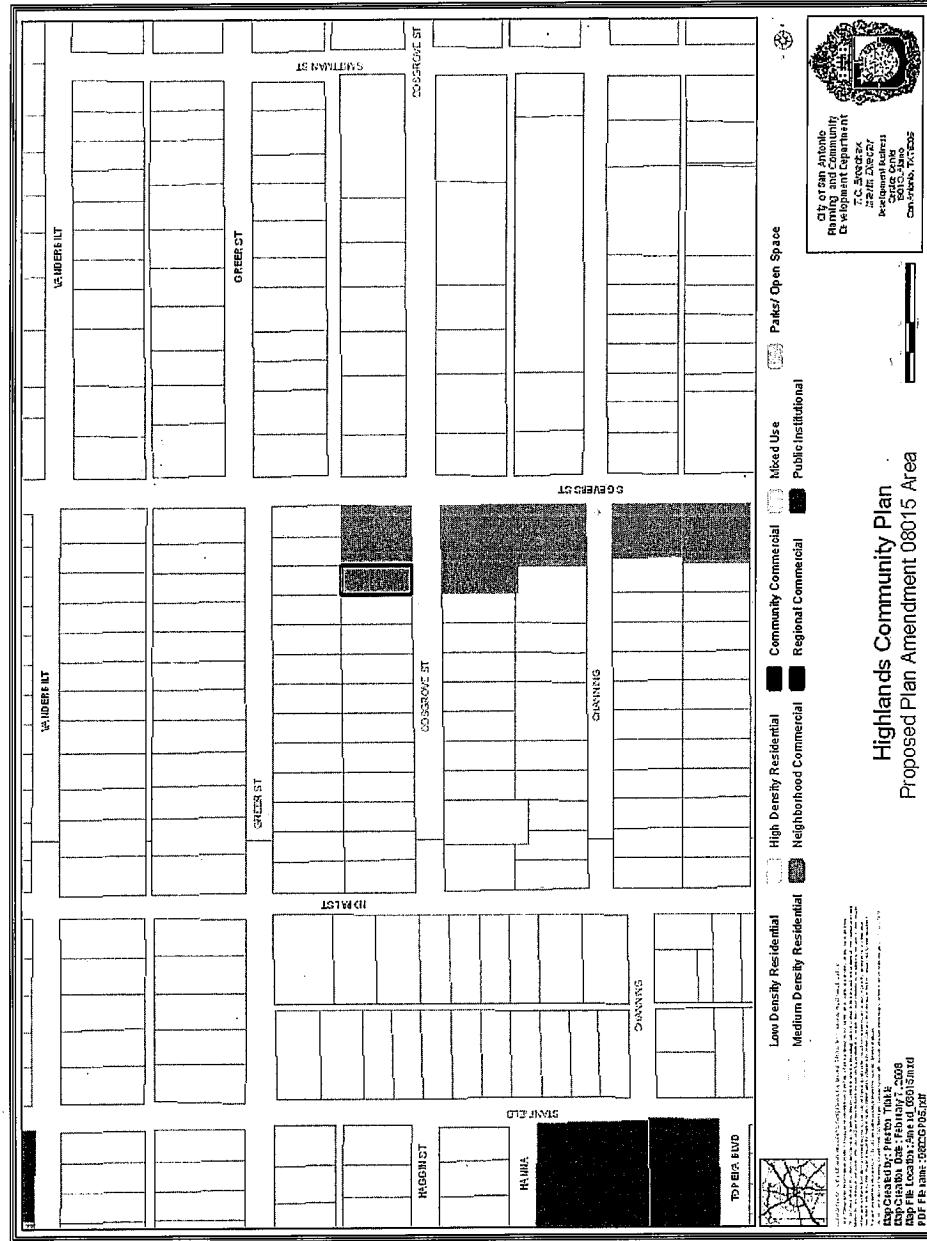
Attest:

Executive Secretary
San Antonio Planning Commission

ATTACHMENT I
Land Use Plan as adopted:



ATTACHMENT II
Proposed Amendment:



Master Plan Amendment 08015

Highlands Community Plan

Planning Commission

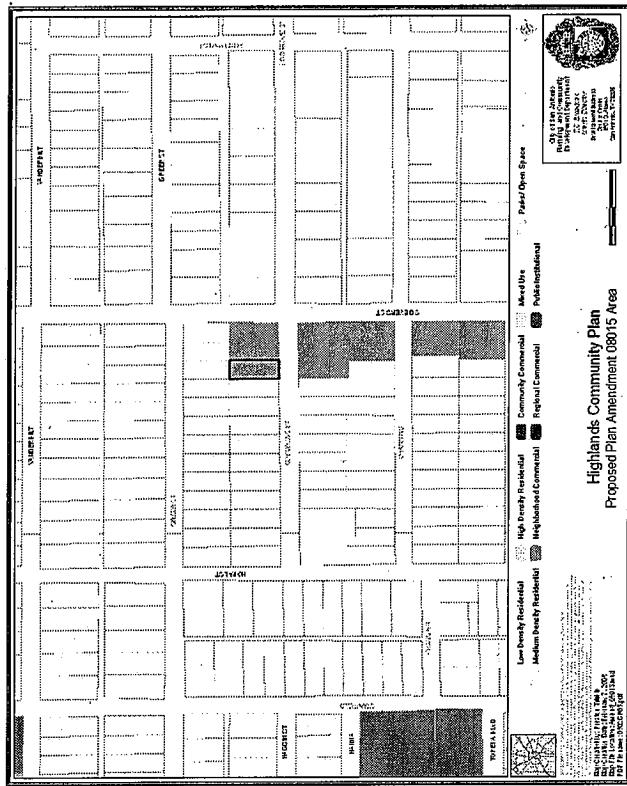
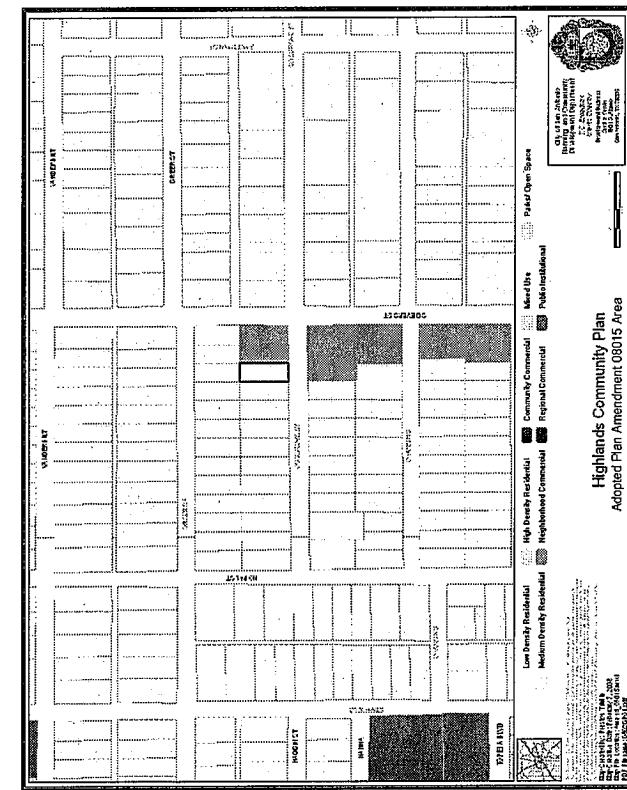
February 27, 2008

Agenda Item No. 23

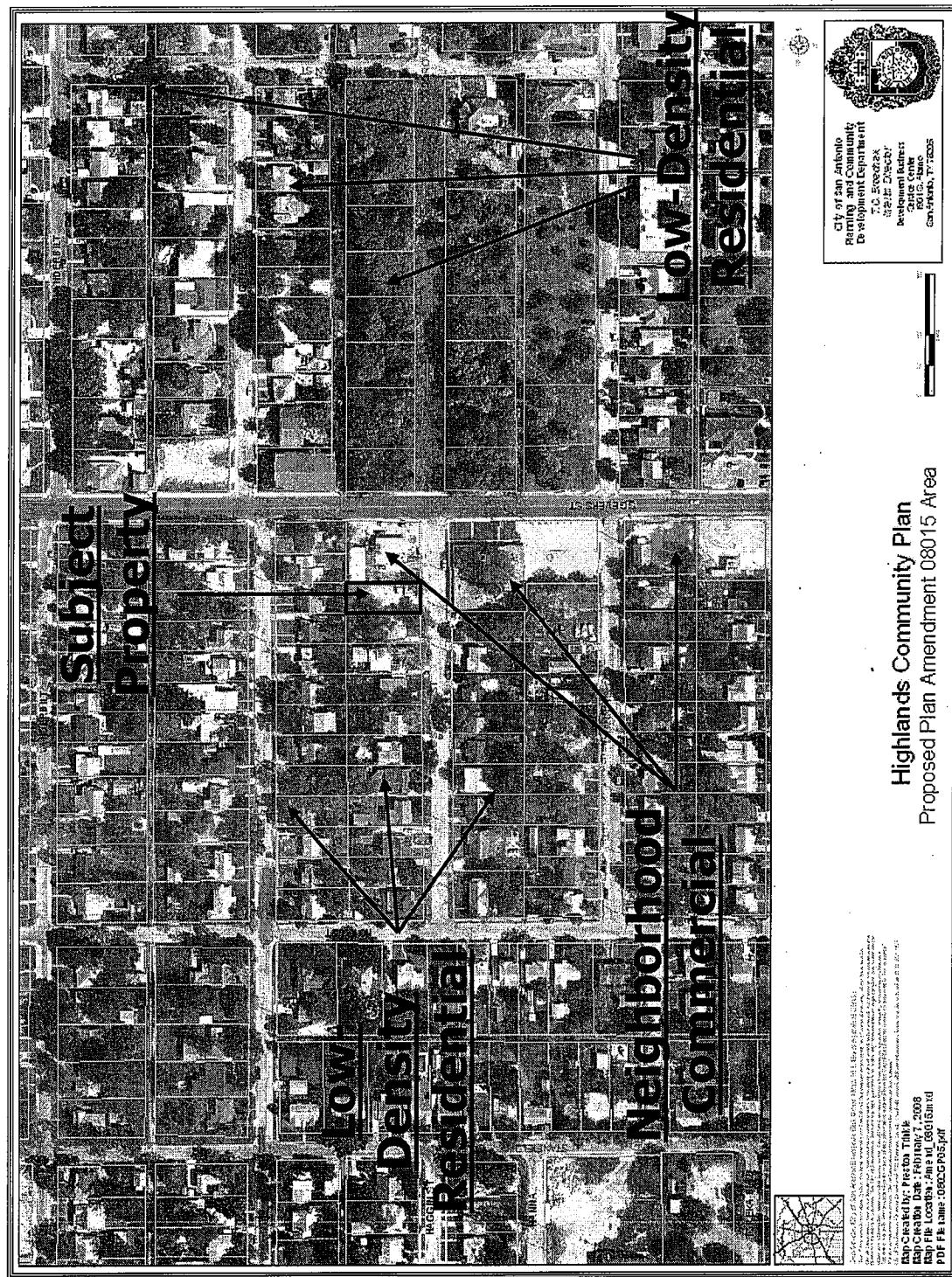
Amendment 08015

Plan as adopted:

Proposed amendment:



Land Use



**CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
Planning Commission**

TO: Members of the San Antonio Planning Commission

FROM: Roderick J. Sanchez, AICP, CBO, Director

SUBJECT: Proposed zoning amendment to the UDC regarding payday loan agencies and check cashing facilities

DATE: February 27, 2008

SUMMARY:

Pursuant to direction by City Council, the Development Services Department has prepared an amendment to the Unified Development Code (UDC) to define and to specify locational criteria for payday loan agencies and check cashing facilities.

This item was considered by the Planning Commission on February 13th and was continued to February 27th. Staff is researching issues and questions asked by the Commission.

BACKGROUND INFORMATION:

San Antonio's UDC indicates in which zoning districts individual uses are allowed or not allowed. There are no definitions for payday loan agencies or check cashing facilities, nor are there entries for these uses in the "use matrix" of the UDC; currently these uses, when established as principal uses, are interpreted as offices or loan offices which are allowed by right in all of the office and commercial zoning districts. Because of the broad specifications associated with the location of these businesses, neighborhoods are concerned about the proliferation of these establishments adjacent to or in close proximity to their residential properties.

In September of 2007, the Development Services Department received a Council Consideration Request (CCR) to amend the UDC by creating definitions and use matrix entries for payday loan agencies and check cashing facilities. The proposal is to allow these uses within the C-1 (Light Commercial District), C-2 (Commercial District), and C-3 (General Commercial District) **only with approval of a Specific Use Authorization**, which requires a site plan submittal and City Council approval through a zoning change. Additionally, there are several standard conditions proposed for these uses listed on the attached supporting documents. The City Council Infrastructure and Growth Committee considered this item in November of 2007, however it is pending Planning Commission and Zoning Commission review and consideration before being considered by City Council.

POLICY ANALYSIS AND RECOMMENDATION:

Requiring specific use authorization in certain zoning districts for these uses would give City Council the discretion to determine if the proposed use would be appropriate at the proposed location, based on the site plan provided by the applicant and made a part of the ordinance for the specific use. Through the zoning change process, the Zoning Commission could recommend, and City Council could impose conditions to make a proposed payday loan agency or check cashing facility more compatible with surrounding land uses; or City Council could deny the requested zoning change.

The Development Services Department recommends approval. There is increasing concern in the community about the intensity of these uses; they do not lend themselves well to the less intense zoning districts. The amendment as proposed would offer concerned citizens and property owners a public hearing process to provide input on the location of uses that can have an impact on their neighborhood.

Note: The "loan office" use matrix entry is proposed to be deleted. Considering law, industry and culture changes over the years, any savings and loan or general loan operations can be allowed under the "bank" use matrix entry, eliminating any confusion.



**CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST**

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

2007 SEP 19 PM 12:24

TO: Mayor & City Council

FROM: Councilwoman Sheila McNeil

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Erik J. Walsh, Assistant City Manager; Christopher Callanen, Assistant to the City Council

SUBJECT: Request for Placement of Item on City Council Meeting Agenda

DATE: September 13, 2007

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the City Council:

I am respectfully requesting that the Development Services Department staff take appropriate steps in bringing forward to the City Council for final action an amendment to the Unified Development Code to require a specific use permit for check cashing facilities and pay-day loan agencies in certain zoning districts. A check cashing facility is defined as: a person or business that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. The term "check cashing facility" does not include a state or federally chartered bank, savings and loan association, credit union, or industrial loan company. A pay-day loan agency is defined as: an establishment providing loans to individuals in exchange for personal checks as collateral. I request that this amendment to the UDC be brought forward on the earliest possible City Council Agenda.

Brief Background

The purpose of a specific use permit is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. These uses are permitted only through the issuance of a specific use permit by the City Council after ensuring that the use can be appropriately accommodated on the specific property, will be in conformance with the comprehensive plan, can be constructed and operated in a manner which is compatible with the surrounding land uses and overall character of the community, and that the public interest and general welfare of the citizens of the city will be protected. There has been an increase in check cashing facilities and pay-day loan agencies all across the city.

Continues...

Requiring a specific use permit in certain zoning districts for these two uses would give City Council the discretion to determine if the uses are appropriate at the proposed locations, based on the site plan provided by the applicant and made a part of the ordinance for the specific use permit.

Submitted for Council consideration
by:

Sonia Snider 9/18/07
Sponsoring Councilmember

Supporting Councilmembers' Signatures (4 only)

District No.

1. Maryann J. Casner
 2. Alinea Herrera
 3. B
 4. - Wolff

1
6

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

SAN ANTONIO PLANNING COMMISSION
RESOLUTION NO. _____

A RESOLUTION APPOINTING A MEMBER TO THE
PLANNING COMMISSION TECHINCAL ADVISORY
COMMITTEE FOR A TWO YEAR TERM.

* * * * *

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN
ANTONIO:**

Section 1. Robert Hanley is appointed to the Planning Commission Technical Advisory Committee as a Historic/Environmental representative with a term to expire April 27, 2009.

PASSED AND APPROVED THIS 27th DAY OF February, 2008.

APPROVED:

Murray H. Van Eman
Chairman

ATTEST: _____
Executive Secretary

P/C AGENDA FOR February 27, 2008